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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

## Official Report of Debates (Hansard)

Monday 18 April 1994

## Journal des débats (Hansard)

Lundi 18 avril 1994



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers

*50th anniversary**1944–1994**50<sup>e</sup> anniversaire*



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 18 April 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 18 avril 1994

The House met at 1333.

Prayers.

## MEMBERS' STATEMENTS

### EMERGENCY TELEPHONE SERVICE

**Mr Ron Eddy (Brant-Haldimand):** Last Thursday marked a very important achievement by six municipalities in my riding of Brant-Haldimand because now the county of Brant and the city of Brantford have access to the enhanced 911 public emergency reporting service.

I congratulate the councils of the city of Brantford and the county of Brant on this important achievement. A great deal of time and effort has gone into bringing this important initiative to the residents of the entire county and the city.

The proposal was initiated by the council of the county of Brant some four years ago and required a great deal of research and coordination by county and city staff and the strong support of the Southwestern Ontario Wardens' Association.

This important initiative was accomplished locally without any involvement or assistance from the Ontario Ministry of Culture, Tourism and Recreation. This was a perfect opportunity for the government to work with the county to provide leadership so other communities across the province could benefit from their experience. However, the province was of little assistance, and now other municipalities are looking at the Brant county-Brantford initiative as a prototype.

Brant county will be the first jurisdiction to use the most advanced 911 system that is available. Small municipalities in rural areas will benefit from the Brant county example because of the unique billing system: a few cents on each subscriber's telephone bill.

I congratulate the city and county on this important initiative.

### DUFFERIN AREA HOSPITAL AUXILIARY

**Mr David Tilson (Dufferin-Peel):** I rise in the House today to acknowledge all the hard work and dedication the Dufferin Area Hospital Auxiliary has provided to the community of Orangeville and district. The hospital auxiliary is celebrating its 40th anniversary this year.

With a membership of 180 volunteers, the auxiliary has provided support to the staff and patients of the Dufferin Area Hospital by operating a gift shop, assisting at the admitting desk, in the emergency department, operating rooms, ambulatory care, and has even provided clerical support in the labs, as well as fund-raising for the hospital building and equipment fund.

As with many organizations in our community, the Dufferin Area Hospital has been busy raising funds for the new hospital. Later this week the Dufferin Area

Hospital Auxiliary will fulfil its pledge to the hospital building fund and turn over the last instalment of its five-year commitment to the building fund of \$350,000.

I would like to congratulate the Dufferin Area Hospital Auxiliary for all the important duties it performs in and outside the hospital. The care community would not be able to have the wonderful quality of care that it has currently without the support and assistance of the Dufferin Area Hospital Auxiliary.

As politicians, we often talk about how communities must look after themselves by focusing on community-based programs. We can all learn valuable lessons of community support from the Dufferin Area Hospital Auxiliary and how it has worked tirelessly in our community for over 40 years.

I wish them all the best and hope their next 40 years are as successful as the previous 40.

### UXBRIDGE FAMILY RESOURCES SHOW

**Mr Larry O'Connor (Durham-York):** I'm pleased to rise in the Legislature today to inform the House about the Uxbridge Family Resources Show to be held at the Uxbridge seniors centre on Saturday, April 30, 1994, between 10 am and 4 pm.

The family resources show is sponsored by the Durham West Childcare Initiative. It's a celebration to promote the importance of the family and togetherness in our communities. It will be a forum for family organizations and clubs that demonstrate the resources and services they have to offer the Uxbridge community in a fun and festive environment in celebration of 1994, the International Year of the Family.

The day's events are going to include some children's entertainers, the Joseph Gould Jazz Band, which you've heard me speak about before because it has won gold, karate demonstrations and story readings. There will be a supervised children's play area, refreshments and many information displays, all about family resources and services in the Uxbridge area of my riding.

The Uxbridge Family Resources Show will be a great opportunity for everyone in the Uxbridge area to find out about the many local sports clubs, service clubs, schools and churches in the community.

I'm pleased to have the opportunity to announce that right here in the Legislature today. I invite anybody who might be here or watching or who lives in the Uxbridge area and all members of the Legislature, including yourself and your family, Mr Speaker, to attend and enjoy the show at the Uxbridge family show. It'll be the 1994—it might be the first one of many to come—Uxbridge Family Resources Show.

### STUDENT DEBATING COMPETITION

**Mr Charles Beer (York-Mackenzie):** Recently the



Ontario Student Debating Union held its 1994 provincial seminar and debating competition at St Andrew's College in Aurora. This competition was held to select the Ontario participants for the Canadian student debating championships to be held later this month in Winnipeg.

Six students representing different geographical regions of the province and from three different debating categories were selected from the Aurora debate. The top bilingual competitor was Neil McGraw of Collège Notre-Dame in Sudbury. The top French-language debater was Stéphanie Malherbe from the Lycée Claudel in Ottawa.

The top four English-language debaters were Sacha Thacker of Lorne Park Collegiate in Toronto, Dawnelee Hill of Fort William Collegiate in Thunder Bay, John Matterson of the Ursuline College in Chatham and Robert Mulvale of White Oaks Collegiate in Oakville. Of particular note is Dawnelee Hill of Thunder Bay. As a person with a disability, having less than 3% vision, Dawnelee's participation was an inspiration to us all.

Next month all of these competitors will be meeting with the Lieutenant Governor here at Queen's Park. I believe all the competitors deserve our congratulations and the winners our best wishes for good results in Winnipeg.

1340

#### ORGAN DONORS

**Mrs Elizabeth Witmer (Waterloo North):** The week of April 17 has been designated as Organ Donor Awareness Week, and on behalf of my caucus colleagues, I would like to take this opportunity to raise public awareness about this important issue.

Last year 566 Ontarians received organ transplants, transplants that meant a chance at a new life. Sadly, almost 1,000 others are left playing a waiting game, uncertain that a donor organ will ever become available. Unfortunately, this tragic situation occurs because the public is unaware of the importance of donated organs. Too few people in Ontario have signed organ donor cards and discussed their wishes with their families.

This critical need for donors is what prompted the Mutual Group to take action and launch, in the fall of 1992, a national organ donor awareness program, By Mutual Consent. This program believes that by providing accurate information about organ donation and encouraging families to discuss this important issue, some of the barriers that currently prevent donation from occurring can be broken down.

I congratulate the Mutual Group on making a solid commitment to organ donation and I would encourage all members of this House to join the Mutual Group at a reception to recognize national Organ Donor Awareness Week this Wednesday evening.

In conclusion, I urge you to remember that each person in this province can make a difference in addressing the critical need for organ donors by signing an organ donor card and ensuring that our family members are aware of our wishes. "By Mutual Consent" we can break barriers to organ donation.

#### INJURED WORKERS EDUCATIONAL NETWORK

**Mr Mike Cooper (Kitchener-Wilmot):** I rise today

to inform the members of this Legislature of a book launch that took place in my region on March 24. The Waterloo-Wellington Injured Workers Educational Network, which was formed last spring, officially launched its first project, A Guide to Filing a WCB Claim.

The network serves a multipurpose role in our community. It provides a localized support group for individuals seeking information, support and advice. The network is a community-based organization bringing together diverse agencies, organizations and groups which deliver services to injured workers in the Waterloo-Wellington area.

The booklet is written in plain language. It offers dos and don'ts and explains the process and the steps that are involved. For those individuals, especially those not having union representation, who have never had to deal with an injury claim before, it can be rather intimidating when they do not know what to expect. As with anything else, education is a key element to understanding, assisting and guiding.

The educational network is composed of various individuals and representatives from local unions, employee associations, injured workers and representatives from various service organizations and agencies at the municipal and provincial levels. Each of these representatives brings to the education network valuable experience and understanding of the system and the process.

I wish to take this opportunity to commend this group for its efforts, its understanding and its desire to enhance service delivery and empower injured workers through education. The booklet is unique in that it provides information specific to the services in the Waterloo-Wellington area, unlike other more general brochures which are available.

I understand this is the first of many projects for the Waterloo-Wellington Injured Workers Educational Network and I wish it well in its joint efforts for information-sharing and education.

#### RETAIL SALES TAX

**Mr Dalton McGuinty (Ottawa South):** The Minister of Finance has announced today that he has decided to reduce his tax on the brew-on-premises industry. I have raised concerns about this tax on at least five occasions in this House and I have spoken to the minister informally about the problems his tax would create and has created.

My first response to the minister's announcement today is to say thank you. My second response is to ask him two questions.

First, why did he not reduce the tax earlier, when it was plain for all to see that it was killing business and putting people out of work?

As soon as the tax was implemented last August, sales volumes plummeted by as much as 50%. Shortly thereafter, people started losing their jobs and businesses started to close. In fact, to date, over 400 people have lost their jobs and dozens of operations have gone bankrupt or into receivership. The minister steadfastly



refused to lower his tax, while employees lost their jobs and small business entrepreneurs lost their businesses and their homes they had put up for security. This tax reduction comes too late for these victims.

My second question for the minister is this: Why did he ever even implement this tax at such a high rate in the first place?

You-brews had been a small business anomaly in Ontario. They were growing and thriving during the recession. They had created 2,000 jobs and 235 small businesses before the tax took its toll. Our Minister of Finance cannot be forgiven for failing to recognize that this fledgling Ontario small business industry, instead of being penalized with taxes for growing, ought to have been, at a minimum, left alone to prosper and to create jobs.

The new tax took a success story and turned it into a tragedy. The minister, incredibly, turned a silk purse into a sow's ear.

#### BICYCLING SAFETY

**Mrs Dianne Cunningham (London North):** I'd really like to congratulate the London Free Press, the Toronto Sun and other media for promoting safe cycling and the wearing of bicycle helmets.

In Ontario two million cyclists, including almost 500,000 people over the age of 15, rely on bicycles as their primary means of transportation. The Highway Traffic Act recognizes bicycles as legitimate vehicles entitled to share the road. They must be equipped with a working bell, horn and proper lights.

As of October 1, 1995, approved bicycle helmets will be mandatory when cycling. At Queen's Park, a bicycle safety team has been formed to effectively implement this legislation. It includes representatives from the ministries of Transportation, Health, Education and Training, the Solicitor General and Correctional Services and Culture, Tourism and Recreation as well as the Ontario Head Injury Association, the Children's Bike Helmet Coalition, police services, the Ontario Cycling Association and cycling groups from both Toronto and Ottawa.

The mandate is to raise bicycle safety public awareness and modify behaviour in order to reduce the number of bicycle accidents, the resulting injuries and their associated economic and societal costs. One of the team's goals for 1994 is to increase the acceptance of helmet use and to educate the public on the correct way of wearing bicycle helmets.

I'd like to show the Legislative Assembly this wonderful poster, produced by the government, to encourage young children, especially adolescents, to wear their helmets and to be safe.

#### CONSERVATION

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** On Friday, April 15, my colleague Fred Wilson and I had the honour of unveiling for the Napanee Region Conservation Authority its conservation strategy. The NRCA, together with other agencies and the public, has developed a shared vision for the Napanee and Salmon River watersheds and a clear path to get here. The conservation strategy will guide the authority's

activities over the next decade. The 1990s have brought new challenges to the authority but also many opportunities. The strategy offers creative ways to deal with expected challenges and a way to deliver the programs efficiently and effectively.

Innovative ways to manage resources include new partnerships with the public and other agencies, improved public relations and outdoor education, better protection of environmentally sensitive areas and involving residents in efforts to improve the health of the natural environment. The strategy turns its focus to anticipating and addressing problems before they occur rather than reacting to them later.

The Napanee Region Conservation Authority will also improve its financial situation through various means of increasing its resources and improving efficiency.

The application of the conservation strategy will contribute to improvements to wetlands, woodlands and wildlife managed by the authority and ultimately to improvements in water quality in the Bay of Quinte.

I would like to congratulate the NRCA board, its chairman, Wayne Parks, its manager, Terry Murphy, and all those who contributed to the conservation strategy.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### IMMIGRATION AND REFUGEE POLICY

**Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations):** This is National Citizenship Week, and it is being marked across Canada this week to celebrate the privilege of belonging to this great country, Canada. It is a time to thank Canada for its generosity and to ask ourselves how we can contribute to its future.

Ontario has always valued the immense contribution immigrants and refugees have made to the province's social, economic and cultural life, and unless we are from the aboriginal community, we are all immigrants or descendants of immigrants. It is therefore ironic that the federal government chose to announce decisions last Friday which will affect newcomers, immigrant settlement organizations and all Ontarians.

Federal Immigration Minister Sergio Marchi said that effective May 15, the adjustment assistance program, also known as AAP, will be restricted to government-sponsored refugees. Effective June 1, fees for immigration services will increase, including the introduction of a \$500 application fee for permanent residency for successful refugee claimants, who were previously exempt.

#### 1350

As my colleague Tony Silipo, Minister of Community and Social Services, pointed out to reporters at a press conference last Friday, changes to the AAP will hurt an estimated 5,000 indigent independent immigrants and in-Canada refugees living in Ontario for less than a year. Since many of these people will not be able to find work immediately, they will have no option but to seek social assistance until they are employed. This will end up costing Ontarians an estimated \$16.5 million annually in additional social assistance costs alone.



It is unacceptable that the federal government continues to download costs to this province. The decisions Ottawa announced last Friday come on top of the ceiling on Canada assistance plan payments and signal a continuing abdication of financial responsibility to the people of this province. Before Ottawa released its budget in February, this province asked the federal government, and especially our Ontario colleagues, to address the cap on CAP issue. It didn't, and now it is exacerbating the situation with its latest action.

The AAP has been on the books since 1948, providing necessary assistance to newcomers. Ontario will be particularly hard hit by Ottawa's changes because it is home to 59% of all immigrants and refugees who come to Canada, yet it receives only 39% of federal immigration funding for settlement and language training. Ottawa spends \$760 on every immigrant who comes to Ontario, compared to \$1,900 for those who settle in Quebec and \$1,500 for those who settle elsewhere in Canada.

I am dismayed at this unilateral federal action, which was made without appropriate consultation with either this government or community partners despite the fact that Ontario is about to begin negotiations with Ottawa on a provincial-federal immigration agreement.

This just emphasizes even more the need for a bilateral immigration agreement. According to Mr Marchi's statement, Quebec is exempted from the federal decisions because it negotiated a bilateral accord signed in 1991.

Ottawa's decision to modify the AAP will have a devastating effect on many newcomers to Ontario and indeed to Canada. The restriction of AAP will result in ending federal financial assistance for food, clothing and housing to eligible indigent refugee claimants who have been accepted as UN convention refugees to Canada.

I'm also concerned that legitimate refugees, unable to pay the newly introduced application fees, will not have access to landed immigrant status, denying such refugees their full participation in our society. Several community organizations have already expressed fear that the federal government's actions last Friday will add new obstacles to refugees who have left life-threatening situations to come to Canada. Community organizations serving newcomers will have to deal with additional pressures resulting from these changes.

The changes to AAP, the continued cap on CAP and the absence of fair treatment for Ontario in settlement and language-training funding are not fair. They are not fair to Ontario, they are not fair to the newcomers who choose and want to contribute to our society, and they are not fair to the many organizations that help newcomers settle and integrate into our province.

I am therefore calling on Mr Marchi to rescind his decision on changes to the AAP and to discuss with his provincial counterparts, as well as community partners, how we can all work together to provide appropriate support to newcomers in the most effective, efficient and cost-efficient manner.

**The Deputy Speaker (Mr Gilles E. Morin):** Responses?

**Mr Charles Beer (York-Mackenzie):** It is quite

unclear, frankly, just what the purpose of the minister's statement has been today. If we look at the first two paragraphs, I think all of us in this House can well agree with the minister that we want to celebrate National Citizenship Week, that we want to celebrate the fact that so many people continue to choose to come to Canada, to become Canadians, to participate in Canadian life and to give to this country their talents and all that people from all over the world can give. All of that we support in what the minister has said and we believe equally in that.

But the rest of the statement is one where frankly what one hears is a kind of selective outrage that's going on. The minister chooses to talk about some things the federal government has done. What about her own government and what it has done to refugees and what it has done to people from other countries who have come here?

Why, if this government says it feels so strongly about the issue of refugees, did the Minister of Community and Social Services last summer say that for sponsored immigrants on welfare, their cheques were going to be cut to \$50? That was done last summer, done with no discussion, just wham, it was done.

If this government feels so strongly about the question of refugees and immigrants, then why did the Minister of Health rise in her place only a few short weeks ago—

*Interjections.*

**The Deputy Speaker:** Order.

**Mr Beer:** —to announce that she's taking \$48 million out of the system in terms of helping refugees, in terms of allowing foreign students to be on OHIP?

What we have here, I simply say to the minister, is that there's an awful lot of hypocrisy that's going around, both federally and provincially, on this issue.

The minister says, "We're going to sit down and start to negotiate a federal-provincial agreement." Well, where have you been? This is 1994. Where were you in 1993? You could have negotiated an agreement. Where were you in 1992, in 1991? You have not negotiated an agreement, and by the minister's very own words, the fact that the Quebec government had an agreement meant, therefore, that it was protected from this change. Where has this government been in arguing the case for better immigrant settlement and adaptation and better treatment of refugees?

I remind the minister responsible for citizenship that it was the federal Liberal government that finally acted on the question of work permits. This was something that we and I, as minister, had put to the previous government, and it is something Mr Axworthy moved on and said yes, it makes sense. Refugees don't want to get social assistance, they want to work, and a way of doing it is to ensure that they can get work permits.

Where also has this government been on the subject of English as a second language?

Again there needs to be a negotiated settlement to ensure we have the dollars necessary for those settlement programs. The question is not, does the federal government have a responsibility? We agree with the government. They do have a responsibility. But this government



has a clear responsibility, knowing full well that there is no immigration agreement between the federal and provincial governments and knowing full well that the Canada assistance plan is going to end and will have to be replaced with something else.

Where are you? Where are your ideas? Where are your plans? Where are your proposals to sit down with the federal government, with other provinces, if you wish? Remember that in terms of immigrant settlement agreements—

*Interjections.*

**The Deputy Speaker:** Order.

**Mr Beer:** —there are six provinces that already have signed agreements with the federal government.

This government has been in office since the fall of 1990, and it never seemed to be important to them in 1990 or 1991 or 1992 or 1993. Now, all of a sudden, we get this statement from the minister, which is supposedly having something to do with National Citizenship Week, and what it turns out to be, in the words of Jim Bradley, is that it's number one and number two and whatever other numbers are at play where you blame everything on the federal government.

There are things that the federal government, of whatever political stripe, does that we may not like, but what we have to do in this place is to call the government's tune and say, "If you've got specific proposals to improve the way in which immigrants and refugees are dealt with, then let's put them forward."

Go out and negotiate that agreement. Go out and make changes to the ESL agreement. Recognize good things that the federal government has done, such as allowing the work permits. But that's what you should be doing: getting up today in this House and announcing what positive measures you are going to do. Are you going to go back and change what the Minister of Health did earlier this spring and change what the Minister of Community and Social Services did last summer? That's the challenge.

*Interjections.*

**The Deputy Speaker:** Order. The member for Burlington South.

**Mr Gregory S. Sorbara (York Centre):** Let's just take it right to the people. Let's go to the people now. We're ready.

*Interjections.*

**The Deputy Speaker:** Order. It's your time. The member for Burlington South.

1400

**Mr Cameron Jackson (Burlington South):** I am quite shocked at the machinations and the responses coming from the Liberal benches.

At the outset can I just simply say that nothing in this announcement today changes the capacity of Canadians to welcome new Canadians. Nothing in this announcement today diminishes the compassion that our country has to welcome new Canadians. What in fact is contained in this document, rightly or wrongly, is a clear understanding that all Canadians are having to struggle with

the ravages of a recession and that all Canadians are sharing in the responsibility of seeking solutions to the economic times we find ourselves in.

I think it's fair for our country and indeed this province to look upon today's announcement just as a worker who's been laid off at the General Motors plant in St Catharines has to look at today's announcement, just as a family struggling to survive on social assistance in this province, just as a small businessman who's laying off several of his long-time employees. All Canadians, and that includes all of us who are ourselves the products of new immigration to this country, have a responsibility to look upon this announcement as a new challenge.

The largest opportunity that faced the leadership of the Ontario government on this issue was opened during the Meech Lake discussions. It's very clear that it was in those discussions and in that context that Quebec clearly enunciated its vision of where it belonged in our country. It tabled in those discussions what its view was on immigration and what it was prepared to do to determine its own future with respect to immigration. At that time, David Peterson, the Liberal Premier of Ontario, chose not to take a similar position for Ontario, and so today's announcement is clearly an indication of the failure on the part of the Ontario Liberal government in 1989 and 1990, during the Meech Lake and subsequent discussions, to deal with the issue of a federal agreement.

Today the Minister of Community and Social Services, who stands in this House on a weekly basis and is, quite frankly, assaulted by all members of the House for the problems that exist in this province, problems around the growing number of our citizens on social assistance, the growing number of vulnerable children in this province—this is yet one more issue that has fallen on to his table, along with the Premier's, to deal with with the federal government.

I listened intently to the member for York-Mackenzie, who presented himself for the leadership of the Liberal Party, and I am sure that he personally has his own sense of priorities for this province that he would have brought had he become the Liberal leader. For that reason, I suggest that he save his speech, the one he gave to the government and to the Conservative Party of Ontario today in the House, and share that with the 98 federal members who were just recently elected.

The dialogue should begin immediately with those individuals who won in the last federal election to represent Ontarians' interests, not just the Ontarians who are today paying the taxes for this province—we're told time and time again that Ontario taxpayers pay a disproportionate amount, a larger share, in order to share in the vision of our country. But it's equally important that those 99 or 98 federal Liberal members of Parliament begin the dialogue as to what kind of home we are going to provide for new Canadians in the province of Ontario.

There will always be a home for new immigrants in Ontario. It's part of the vision of Mike Harris and the Progressive Conservative Party of Ontario. But I remind all members of the House that nothing in this announcement today diminishes the capacity of our country to welcome these people and nothing diminishes our ability



to work with these people and their families to ensure that they become contributing members of an Ontario society to assist us back on the road towards prosperity.

That's what Mike Harris believes and that's what the Progressive Conservative Party feels about this announcement today.

### ORAL QUESTIONS

#### SPECIAL INVESTIGATIONS UNIT

**Mr Robert Chiarelli (Ottawa West):** My question is to the Attorney General. If anybody needs the protection of gun control legislation in this province, it has to be the Attorney General, because she keeps shooting herself in the foot.

She has done it again at the SIU, the special investigations unit, where the SIU has had to suspend a special investigator who was hired under circumstances where he was subject to charges for obstruction of justice and forgery with the Waterloo police department. Minister, you know that you've had this problem in the past; in fact, in December, with another hiring. Would you please tell the people of Ontario why and how this could have happened again.

**Hon Marion Boyd (Attorney General):** As the member is well aware, appointments to the civil service are not done by politically elected officials. There is a process that goes forward, and a very clear process that goes forward, under which people are hired under the public service. That process was followed in this case.

The member is well aware that the allegations that have been brought were not known to either the Waterloo Regional Police or to the SIU, that thorough checks were made and thorough reference checks were made, and that this has arisen subsequently. One of the issues we need to be clear about in this kind of case is that this kind of allegation can arise no matter how much care in hiring is undertaken.

I would simply say to the member that we take very seriously the concerns that have been raised about the personnel in the SIU. We have undertaken and are continuing to undertake with the various police organizations in the province a review of the hiring practices to ensure that they meet the standards that are followed by the police. I will have no further comment on the particular allegations that have been made.

**Mr Chiarelli:** Minister, you will be judged by your conduct and you will be judged by how you fulfil your responsibility. You are the minister responsible to the people of Ontario and to this Legislature for the SIU. On December 14, you were asked a question by the leader of our party about Mr Fred Winston, another case where a person was hired without any proper checking of credentials, a person who was hired as an investigator of our police across this province.

If you expect the police to have any confidence in the administration of justice, how can you possibly continue to have hiring practices of investigators that show that it's complete incompetence? You are responsible for the SIU and you have to answer.

Let me read briefly what you said to this House in December: "It is not only police officers who have to be

concerned about the very serious and very sensitive mandate of the SIU but all of us and all citizens, because this is an extremely important part of our community accountability of our police forces, and it is of interest to everyone in the province that the integrity of the unit be maintained."

Once again, Minister, how can police officers and the public across this province have any respect for the SIU when you can't even hire its investigators in a proper fashion?

**Hon Mrs Boyd:** The hiring round in which the case that the member has just cited took place and the most recent allegations happened at the same time. We undertook, following that hiring round, a review of the hiring practices because we agree with the member that it is of very serious consequence.

This subsequent allegation has come up, and again I would say to the member that we take it just as seriously as we did before. It was part of the same round, and the review that is being undergone in terms of any future hirings is a very serious undertaking on our part and one that we are doing in conjunction with the partners in the police community.

We agree that the police have every right to expect that those who are investigating their behaviour are beyond reproach. It is of very great concern to us that this sort of problem has occurred, but now that we know it has, we are taking the steps that are there.

This is not a new situation. It is the same round of hiring that went on before and there were obvious flaws which we have already admitted to and are taking steps to ensure do not occur again.

1410

**Mr Chiarelli:** Minister, you and your ministry have admitted to flaw after flaw with respect to the SIU. It has been a comedy of errors, very sad errors, from the beginning. You have undertaken to review it; you've undertaken audits. Nothing has happened; nothing's come back to this House. There have been no reports on this to the people of Ontario. It is time that you accept your responsibility, that you place some responsibility for this in the hands of the legislators of this province.

I'm asking you now, Minister, will you refer to the standing committee on administration of justice all these problems that have occurred with respect to the SIU? There's only one way that you're going to restore confidence in our police officers and the public across this province and that is to get some sort of open discussion where everybody can get involved in it and where the people can be satisfied that you're actually doing something. So will you in fact refer this matter to the standing committee on administration of justice so that the people of the province can get to the root of this problem?

**Hon Mrs Boyd:** The audit report and the response of the director of the SIU have in fact been released to all the members of this Legislature. We made an undertaking in our response to the audit report to undertake consultations with the police community, with their official representatives, and with representatives of the broader

community who have expressed equally serious concern about the SIU, and that we would be back with recommendations as a result.

We are involved in a very intensive process looking at some of the procedural issues that have been raised, the relationship with the coroner's office, the kind of process that is involved in these investigations and how to sort out the independence of the various forces that are concerned. When that is completed, we will certainly come forward with additional response.

Many of the issues raised in the audit report have already been rectified. In the report of the director to the audit report, there is a very clear accounting of the steps that have already been taken and put into place which have corrected many of the deficiencies that the audit report pointed out.

We have some issue with some of the suggestions that the audit report had and we are discussing those with those most concerned. I would say that in the past few weeks the opposition has been very concerned with referring many issues to the administration of justice committee, and it is very clear that there is a concerted effort to try and ensure that this committee is overloaded in its work. There are many ways to accomplish the same goals, and I will not commit to make a reference to the justice committee of this report until our consultation is complete.

#### CANCER TREATMENT

**Mrs Barbara Sullivan (Halton Centre):** My question is to the Minister of Health. The minister's own report on cancer care tells of the need for new specialists and new equipment so that cancer patients will get the treatment that they need when they need it.

In fact, that need is urgent. For over two and a half months the minister has been sitting on a report that says that if funding and approvals aren't in place immediately for two new radiation machines at the London Regional Cancer Centre, cancer patients in southwestern Ontario will not be able to get the treatments that they need.

The London cancer centre is already under pressure to meet regional requirements and it's already operating with extended hours. Putting new machines in place takes time, and those machines are needed urgently in less than a year. If the minister doesn't act immediately, it won't be merely waiting lists that we're concerned about but the availability of treatment itself.

I'm asking the Minister of Health if she will commit today to provide the funding and to ensure the speedy approvals and to guarantee that those radiation machines, which are required in the London Regional Cancer Centre, are on stream and operating in less than a year. Will the minister indicate to us that she is willing to act?

**Hon Ruth Grier (Minister of Health):** As the member is well aware, just recently, on April 8, I released the government's cancer strategy for the future, *Life to Gain: A Cancer Strategy for Ontario*, a strategy that provides for a network to coordinate services, for a task force to look into prevention, for improvements to support services to meet all of patients' needs as well as expanded treatment.

We are working with the Ontario Cancer Treatment and Research Foundation to review their needs, of which of course the London cancer centre would be one, and I'm not in a position today to say yes or no to the member's question. But I can certainly assure her that as we review the future plans of OCTRF and the need that it has identified for additional radiation machines and other expansions of the treatment network, I'm quite confident that we are in a good position to meet the needs of cancer patients in the 1990s.

**Mrs Sullivan:** The minister refers to her report which was issued in April and made absolutely no reference to a document which she had received from the Ontario Cancer Treatment and Research Foundation two months prior to the issuing of her report, which identified the very specific urgent needs, including the need for two new machines and a commitment to fund those machines at the London cancer centre. The report is quite specific: Without those machines being put into place, there will not be appropriate treatment available in less than a year. In less than eight months, there will not be appropriate treatment available. The minister's had that report for over two months.

Once again, I ask the minister, will she commit to this House today that people in southwestern Ontario will have access to and availability of radiation treatment when they have cancer that requires that treatment?

**Hon Mrs Grier:** I know, because of the member's very real and genuine concern about this issue, she will be very pleased when I'm able to tell her that her facts are quite wrong. In fact, as we work with the OCTRF to have it review the plans it submitted to us a couple of months ago, we find that the number of machines and the need are very much in sync. I can assure her that people in southwestern Ontario will have the same quality of care and the same access to treatment as people anywhere else in this province.

**Mrs Sullivan:** I refer to the report, and the report itself says that planning must begin and funding must begin immediately to put those new machines in place. The minister is incorrect in her interpretation of what's included in that report. The report also says that there are up to 80 radiation oncologists who are in a position of shortfall. The minister is in fact misstating what's included in this report.

I also want to indicate that while her cancer report used fancy words, there was absolutely no commitment to action other than setting up committees, and we need more than that. We need a real commitment from this minister, including a commitment of dollars and a commitment according to a time line.

The minister announced that there would be operating funding for some new machines that were placed in Toronto, Kingston and Ottawa, but made no commitment to increase the operating funding for the Princess Margaret Hospital at which there will be new machines to increase their complement to 16 machines, double the current capacity. It makes little sense for the minister to provide half a loaf when a full loaf is due.

I'm asking the minister if she will commit today to providing appropriate funding to the Princess Margaret



Hospital so that it can indeed operate the machines that will now be in place this year.

**Hon Mrs Grier:** The member quotes from a report that was received two months ago and it says planning should begin immediately. What I'm telling her is, the planning began immediately. The planning now shows the number of machines we need is different from the number in the report she's quoting, precisely because we have committed funding to longer operating and better utilization of the existing machines. I'm sorry she's unhappy that things are getting better for people with cancer in this province, but that happens to be the reality.

With respect to Princess Margaret, I also know that she will be delighted to know that I have in my hand a release from Princess Margaret that commends the government for its cancer network, indicates Princess Margaret's support for what we've done and confirms Princess Margaret's willingness with us to work to meet the needs. The problem is that we have a cancer strategy, we have a plan and we've put funding in place, something that has not happened in this province before.

1420

#### TENDERING PROCESS

**Mr David Turnbull (York Mills):** I have a question to the Minister of Transportation and it follows a story in the Hamilton Spectator.

Minister, on January 10 a deal was signed between three unions and a consortium bidding on Highway 407. Ten days later, these unions held a fund-raiser for the NDP, and I believe you were there.

I have a copy of a memo from Michael Reilly of the Labourers' International Union of North America regarding that fund-raiser. It says:

"It's important that you personally apply yourself to making the evening a success by calling those contractors and influencing them as to the importance of the said evening in the purchasing of a table, a half-table etc: as much as you can squeeze. Don't take no for an answer.

"I am sure I don't have to tell you that the prestige and the name of 183 is important and must be maintained for all future lobby efforts that benefits."

That evening raised \$100,000 for your party. As I've said, I believe, Minister, you were at that.

Eleven weeks later, that consortium that signed a deal with the unions was awarded the 407 contract. Minister, is \$100,000 the going rate for government contracts now?

**Hon Gilles Pouliot (Minister of Transportation):** I can assure the critic opposite that there is absolutely no link between a fund-raiser and the awarding of the contract regarding the superhighway 407. Allegations of this type are just preposterous, nothing short of this. I think the member opposite is spooking himself as he dims the light.

Very early in the process, when the process was put forth, cabinet distanced itself from the decision-making process by appointing four deputy ministers to choose a winner. The confidentiality of the process was supervised and certified by Price Waterhouse.

**Mr Turnbull:** This is extremely serious, Minister.

When you announced that the CHIC had won the bid, you said they offered the best value for money. You did not say that it was because they gave the lowest bid. Minister, was CHIC the lowest bidder for the 407 project, and will you disclose the bid to confirm this?

**Hon Mr Pouliot:** First and foremost, let me set the table so the member opposite will have a clear picture. The request for proposal stated that there shall be no lobbying attempt to any politician or to government officials, so therefore I don't know if it was the lowest bidder. I understand that negotiations are still going on. What took place in the first instance is that a consortium was chosen to negotiate, and within a matter of three to four weeks we are hopeful that all the details will be released.

**Mr Turnbull:** That answer is absolutely alarming because he said he doesn't know whether they were the lowest bidder. I have a copy of the agreement between CHIC and the three unions. It clearly says that no other workers shall be allowed to work on the 407 project in exchange for a commitment that there will be no strike action taken by the unions. As well, it provides for a wage increase of up to 22% over the five years. I have been informed that the losing bidder did not sign a deal with the unions—listen to this, folks—because they were told not to by your staff, Minister. Minister, why did your staff advise them not to sign a deal?

**Hon Mr Pouliot:** One can really appreciate the tone here. You don't really have to be too clever to tell the member that he's imputing motive and by doing so indirectly soiling the reputation of four deputy ministers, trying to find a flaw in due process.

I go back to his original question. The question that I'm quoting verbatim and answered will attest to it: "Is \$100,000 what it takes to buy or secure a contract?" Put your seat on the line when you impute motive, my friend. This is a contract well over \$1 billion. Enough is enough. You can't grab a club and say things when you have no responsibility. Put your seat where your mouth is. Of course, the process is flawless. Negotiations are still going on and in the fullness of time we will release all that is to be known and said. We're aboveboard regarding the most important highway project in North America.

**The Deputy Speaker (Mr Gilles E. Morin):** New question. The member for Etobicoke West.

**Mr Chris Stockwell (Etobicoke West):** I guess the question from the member still stands: Why did your staff tell them not to sign the deal? You didn't answer that.

#### ONTARIO HYDRO AGREEMENT

**Mr Chris Stockwell (Etobicoke West):** My question is to the Chair of Management Board regarding the deal reached by the Power Workers' Union and Ontario Hydro. Under the terms of that deal, not one single Hydro worker will be laid off in the next two years, whether there is any work for them to do or not.

When I asked the Premier about this, I was told that \$67 million from the employee pension fund would be used to cover the cost of this unprecedented job security. Today we learned that 6,000 Hydro managers can block the use of this money because they belong to a different



union. The bottom line is that the Power Workers bargained away something they had no right to put on the table.

What will this mean to Ontario Hydro now that you can't get the \$67 million from the pension fund? I had suggested earlier that this means 600 to 800 employees, who are no longer considered valued employees because there's not work for them, will now be kept on payroll for two years because your government signed an agreement it didn't have any right to sign. What is the cost to the taxpayers? What does this mean to Ontario Hydro?

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet):** The member should know that the question he's asked should have been directed to the Minister of Environment and Energy. Unfortunately, he's not here today.

I don't have any direct contact with the negotiations between Ontario Hydro and its unions. As a matter of fact, neither does the government. The member suggested in his question that the government signed a deal it had no right to sign. The government is not a signatory to the deal between Ontario Hydro and its unions. I'm certainly prepared to ensure that the Minister of Environment and Energy is made aware of his question so that an answer can be provided.

**Mr Stockwell:** When this announcement was made, this group over here seemed to have lots of ties to this particular agreement. They stood in this House, applauded and broke their arms patting each other on the back. Now that this deal is derailing, they want nothing to do with it. The fact is simply this, I say to you, Mr Management Board Chair: that you committed to a deal that was going to take \$67 million out of the pension fund at Ontario Hydro. You agreed during that negotiation that 800 jobs would not be declared surplus, costing the taxpayers \$50 million.

We learned on CBC Radio today that the pension fund money cannot be accessed because 5,000 particular employees will not allow you to touch it. The simple fact remains that you were given \$67 million you can't access. You have committed to two years of no layoffs and will have 800 surplus employees coming to work with nothing to do.

I ask you once again: What is the cost to the taxpayers? What is the cost to Ontario Hydro? Does this now jeopardize your promise that Ontario Hydro rates will not go up, considering that you cannot access this money?

**Hon Mr Charlton:** The member across the way continues to play very fast and loose with words. As I've already suggested, the agreement to which he's referring was an agreement between Ontario Hydro and its employees. I'm not familiar with the details of that agreement. I will ensure that the Minister of Environment and Energy is aware of the question he's raised and that he will receive an answer.

1430

**Mr Stockwell:** This is from a minister who just stood up and said "playing fast and loose" with the information. He's admitted himself he knows nothing about it, so how

do you know anyone's playing fast and loose with any of this information? That's the shame of the whole thing. I've stood in this place and told the Premier about this and he started referring to Professor Irwin Corey, for heaven's sake. That's how much he knew about this particular deal.

I say, through you, Mr Speaker, to the minister: As far as your friend the Power Workers' Union is concerned, it is Ontario Hydro's problem, not the union's. John Murphy says, and I quote from CBC Metro Morning: "If the society does take that position, if they do challenge and are successful in stopping Ontario Hydro getting the relief of \$67 million, then the company really has to figure out a way of coming up with that \$67 million." In effect, he said: "Tough. We signed a deal. We're going to live by it."

You've signed a deal you had no right to sign, so now you're \$67 million in the hole and he doesn't care. He's not conceding anything because he's got a signed contract, a contract I warned you about three days after you signed it.

What assurance can you give Hydro customers that they will not be on the hook for this incredible, expensive and illegitimate deal that will now see 800 employees go to work for two years at Ontario Hydro, costing the taxpayers \$50 million to \$70 million, and there will be nothing for them to do?

**Hon Mr Charlton:** The member opposite continues to contend that this government signed an agreement it had no right to sign, when it signed no agreement at all. Perhaps that's a reflection of just how little he understands about that of which he speaks here in the House today.

I repeat my comment of earlier: I will ensure that the Minister of Environment and Energy becomes aware of the questions he's raised so he can provide a full response to the member.

#### CHILD CARE

**Mr Charles Beer (York-Mackenzie):** My question is to the Minister of Community and Social Services. Last Thursday I addressed a question to the minister regarding whether his government had put forward a specific proposal—

**Hon Frances Lankin (Minister of Economic Development and Trade):** Wrong minister.

**Mr Chris Stockwell (Etobicoke West):** Who else is there to ask, Frances?

**The Deputy Speaker (Mr Gilles E. Morin):** Order. You can start again.

**Mr Beer:** Thank you, Mr Speaker, and I will begin again. My question is to the Minister of Community and Social Services. Last week I asked a question, whether the minister and his government had submitted a specific project to the federal government for child care reform. The minister in his answer indicated that he had.

I've subsequently learned that not very long after meeting here in the House, the minister had a discussion in his office with representatives from a variety of child care reform groups and that he indicated at that meeting that no specific separate proposal had been submitted for



child care reform to the federal government. Just so the minister is clear, we're not talking here about Job Link, which is a program that encompasses many things, but specific to child care reform.

In addition to chatting with people who attended that meeting, I have doublechecked with the office of the federal minister, and as of this morning no specific proposal had been received from this government on child care reform. We have also talked to people in the Ministry of Community and Social Services who have also said there is no specific proposal.

Minister, I ask you to clarify the public record. My question again is simply this: Have you sent to Ottawa a specific, written, cabinet-approved proposal regarding child care reform?

**Hon Tony Silipo (Minister of Community and Social Services):** Let me hasten to remind the member—if he wishes to look back at Hansard and the answer I gave him, I will say to him today what I said to him then, which is that I have spoken with Mr Axworthy on at least the three occasions I outlined to him about both the child care needs of this province as they relate to Job Link and the child care needs of the province as they relate to child care reform.

I made it very clear to him, as I did to the people I met with last Thursday, that a specific written proposal on the first part, on the Job Link connection to child care, had already been submitted to Minister Axworthy and that a written proposal on the reform initiatives had not been given to him. I said that to him last time he asked me the question, so there's no difference between what I'm saying today or indeed what I said to the people I met with and what I said to him the last time he asked me this question.

The specific written proposal to reflect the kinds of things that I have discussed directly with Mr Axworthy is being put together now and will be going there very shortly.

**Mr Beer:** With respect, that was not clear from your answer in the House the other day. The answer you just gave is a far fuller and more specific answer. What I question is why you did not give that answer here in this House but chose to wait until you met with the child care advocates. What you said in this House was that you had asked him on several dates. I assumed that therefore a proposal had gone forward. But we were discussing very specifically proposals around child care reform, because it is you and your government who have been arguing that the federal government is not prepared to fund or to assist in funding child care reform. In Ottawa, Mr Axworthy said they have funds under the strategic initiatives fund to in fact help Ontario.

My supplementary question is twofold. First of all, I find it absolutely incredible that this government, which has been in power since the fall of 1990, would not even have a proposal ready to go as soon as that new government came in last fall, particularly because they had set out the concept of their strategic initiatives fund during the election. You still aren't ready. You haven't put it forward. You've simply said it's going to come.

Would you tell us, will that proposal be to Ottawa before the end of this month and, when it is ready, will you table it in the House?

**Hon Mr Silipo:** I don't know whether I'm going to be able to table it in the House. That's not necessarily because I would not want to but because in terms of fulfilling the nature of our discussions with the federal government I'm not sure it would be appropriate.

But let me be very clear. I wish I were able to find the Hansard much quicker, but I will find it and I will read it out to the member again on another occasion so he's clear that what I'm saying to him today is in no way inconsistent with what I said to him the last time he asked me this question, that on each of those occasions I met with Mr Axworthy, I discussed the child care needs of the province both as they related to Job Link and also as they related to some of the reform initiatives. I can say to the honourable member that Mr Axworthy was quite interested in both of those pieces.

It's important to point out also that the strategic funds the federal government has outlined were not outlined until the federal budget came out in February. We have been working very hard to get the package together and to provide the written package to Mr Axworthy. But I can assure the member again, as I did the last time he asked me this question, that Mr Axworthy knows exactly what we are asking for, and if he's interested in funding there won't be any excuse for him not to provide the funds.

#### SPECIAL INVESTIGATIONS UNIT

**Mr Charles Harnick (Willowdale):** My question is to the Attorney General. It appears that last Friday a gentleman by the name of Wayne Allen was suspended as an SIU investigator. He was hired in spite of the fact that he has been charged by Waterloo police with obstructing justice, forgery and obtaining a secret commission.

My question is a little different from the question from the Liberal Party, which was the party that formed the SIU. My question is quite simply this: When Fred Winston was hired, it was clear that the fault for the hiring of Fred Winston was Mr Morton's. Now it appears that Mr Morton—and this is the interesting twist in this scenario with Mr Allen—says: "It wasn't my fault that we hired this person. It was the government's fault because they wouldn't let me properly investigate."

Who does bear responsibility for hiring investigators at the SIU? Is it Mr Morton and his policy or is it you and your policies?

**Hon Marion Boyd (Attorney General):** In fact it is the same question that was asked before. These two people were hired at the same time under the same process, and the allegations that have been made about the most recent case have been subsequent to that. All the employment checks, all the reference checks were done in that case, unlike the previous case, and all of them showed that this person had a clear record at that time. The allegations have surfaced subsequently.

1440

The answer I gave the previous member is exactly the same answer I would give to the member who is asking



now: Civil service employment is under the Public Service Act and is clearly spelled out in the Public Service Act. It is true that some of the hiring practices under the Public Service Act are different from the hiring practices under the Police Services Act, and it is exactly that difference that we committed to look into in December. There have been no hirings since December. In fact, we continue to have those consultations with the police community and with the public service commission on the exact way in which we can ensure that the kinds of difficulties we encountered in that particular hiring round do not continue to plague the agency.

**Mr Harnick:** The minister says, "Same time, same process." What I have to say is, "Same time, same process, and you hired two lemons."

It's interesting. Mr Morton made a speech this past February, and in response to a question concerning the SIU's hiring practices he stated, "I am the person who takes full and complete responsibility for the hiring of personnel."

What I want to know, Minister, is whether you or Mr Morton will take charge of what's going on at the SIU and accept your responsibility for developing a policy with respect to hiring SIU investigators. Lord knows how many more of them have problems in their background that you don't even know about because you have no policy to deal with properly checking their backgrounds in a place as sensitive as the SIU.

I want to know whether you or Mr Morton will develop a policy for hiring investigators at the SIU so we can hear again that this won't ever happen again.

**Hon Mrs Boyd:** I have several times this afternoon and will again commit to the member that that is exactly what we are doing, in conjunction with the official representatives of the police community and in conjunction with our colleagues at Management Board who are responsible for the operation of the public service in the province. I would say very clearly to the member that that undertaking was taken by the director to me and in response to the audit report, which required the same thing, and that that is precisely what we are doing.

#### PUBLIC TRANSPORTATION

**Mr Drummond White (Durham Centre):** My question is for the Minister of Transportation. Minister, we have recently heard of the benefits of the tremendous capital investment your ministry is making in my area, in Durham region. Durham region is benefiting dramatically from the expansion of the 407 that's propounded, and the GO Transit expansion to Oshawa is being eagerly awaited. We know it'll be arriving by the end of this year. Some \$53 million is being spent to bring this line to Oshawa and some 1,060 person-years of employment are being created. This will benefit Durham region and my riding—Oshawa, Whitby—dramatically. Is everything on schedule, Mr Minister?

**Hon Gilles Pouliot (Minister of Transportation):** Indeed a difficult and timely question. Yes, the commitment to expand rush-hour GO Transit service remains, and this will be done in 1994. You're right: The government has committed \$53 million to expand GO Transit

service to Oshawa. What we want to do, simply put, is to provide a safe, reliable and affordable service and yet honour the commitment to Whitby, where 32 trains will remain in service. This is a win-win-win situation we're looking forward to sharing with the users.

**Mr White:** Just this morning, I have received in my mail a number of cards—just this morning's; I haven't received this afternoon's mailing as yet. These cards all reflect the concern of people in my riding not only that we have that GO service the minister spoke about but also that we reinstate an adequate level.

We have from my riding, my constituency, concerned about those issues, people who have used the GO train service for 21 and 22 years, who are having that service cut back. They're wondering why we're spending the capital money on that. Will you be willing to listen to their concerns and look at a fuller level of service as it expands?

**Hon Mr Pouliot:** Departing from form, with high respect, Mr Speaker, may I have a couple of those cards?

**Mr White:** I'll give you a thousand.

**Hon Mr Pouliot:** I say to Harry Smith, I say to Shirley Jones, that we will monitor the demand. If the demand is there, we will go from rush-hour to full-time service in the not-too-distant future, depending on availability of funds. I would like to meet the demand.

#### TOW TRUCK INDUSTRY

**Mr James J. Bradley (St Catharines):** My question is for the Attorney General in her capacity, as they say, as the chief law officer of the crown. The issue relates to the vultures who hover around parking lots in Metropolitan Toronto and other communities waiting to tow cars away, charge them a big price and inconvenience the people.

Gwen Rideout of Ajax has written a public letter where she has brought to everyone's attention the fact that on a Saturday morning recently, about 1:15, her car was towed from a visitors' parking lot where the posted sign read, "Cars without a permit between the hours of 2 and 5 am will be towed." The daughter was visiting friends and came down at 1:15, but the car had already been towed.

The police refused to press charges of theft. This person feels it was theft, because the car was towed away contrary to the signage that we see.

This is just one example of what we see happening on a pretty widespread basis. Could the Attorney General tell us whether she believes that people who take away and tow cars in these circumstances, the parking lot pirates, should in fact be charged for doing so?

**Hon Marion Boyd (Attorney General):** I'm hardly going to give the member a legal opinion about such a matter, and he's well aware of that. He is quite right that other communities, not just Metropolitan Toronto, have this problem. I must say that it is a cause célèbre in my own community, that we have a very enterprising towing company that is currently the subject of a municipal campaign by someone who is campaigning for mayor on the grounds that the municipality should control these towing contracts.



I would say to the member that there is enough concern about the various jurisdictions that I'm certainly prepared to look at what our ministry would do, but charges of course are laid by police officers. Municipalities do license these towing companies. There is a shared responsibility in these matters. I would be very happy to look into the issue for the member, but it appears to me that this is not a simple matter of making a decision based on the kind of facts that he's brought forward here.

**Mr Bradley:** Very often the people who are the victims of the vultures who hover over the parking lots are those people who are visitors to Metropolitan Toronto or to other larger centres in the community, because they don't know the practices. They may believe the signs, may believe what people are telling them are the rules.

It is alleged as well that there are municipal law enforcement officers who get up to \$30 for spotting cars to tow. They're called bounty hunters. Would the Attorney General tell us whether she believes this is appropriate, for people to be paid as bounty hunters for vehicles that are parked in parking lots, not illegally?

**Hon Mrs Boyd:** Where the responsibility for parking has been handed over to municipalities, those kinds of decisions need to be made by the municipalities themselves. If indeed the municipalities have made a decision that it is appropriate for them to hire and to enable people to undertake that kind of a situation, that is their decision. What I privately might think of such a thing is hardly at issue. We have indeed agreements with many municipalities about the responsibility for parking, and those municipalities need to take that responsibility where they have assumed it.

1450

#### ALCOHOL SMUGGLING

**Mr Ernie L. Eves (Parry Sound):** I have a question to the Minister of Consumer and Commercial Relations. Minister, the LCBO revenues to the province have decreased by \$90 million over the last two years. Do you suppose this is because Ontarians are drinking less?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** That's a very straightforward question. I believe that there are a number of reasons why revenues have dropped in Ontario. Part of it is that people are drinking less.

**Mr Eves:** Well, surveys done in the United States of America and here in Canada indicate that Canadians and Americans drink per capita almost exactly the same amounts of alcoholic beverage. So the minister will know that in fact Ontarians are not drinking less and that isn't the problem in your declining revenues.

Even Mr Brandt, the conservative man that he is, estimates that the province loses about \$800 million a year in revenue to illicit underground liquor sales in the province of Ontario. That translates into at least a half a billion dollars a year in shortfall in revenue to the Treasurer and the province of Ontario.

In the past 10 years the minister will know that seven distilleries have closed in the province. She will also know that there are approximately 300 to 400 illegal wineries operating in the province and she will also know

that tobacco smuggling networks are now trafficking in liquor sales. What are you and your government doing about this increasing problem?

**Hon Ms Churley:** First of all, I will say that studies show that people are drinking less spirits and more beer and wine, and that is a fact. But the member did ask about the smuggling problem.

Taxation obviously usually comes under the Finance minister, but I certainly hope that the member is not suggesting that this government reduce taxes on alcohol. We have already lost \$500 million from this treasury that could be going to programs that we sorely need in this province, so I hope he's not asking us to do that.

I think he's behind here. The province has been dealing with this problem for a couple of years now. We have put a number of steps in place and will continue to do so. We've set up the illegal alcohol task force. It's important that all government agencies and all of the police community work together on this. It is a serious problem, as the member suggested, and we are doing that.

We established investigative service units to combat illegal activities in June 1993. We've granted officer status to provincial offence officers, who actually have more inspection responsibilities and abilities. As you know, Mr Speaker, the investigative services unit has increased its staff. There is a lot of activity out there.

It's very important that people be educated about this issue as well, because there are health issues related to this. Some of the alcohol that's smuggled contains very dangerous products. I urge all of us in this House to let people know that there are serious health risks involved and that this government is involved with the federal government and will continue to do everything it can to combat smuggling, but we will not be reducing taxes.

#### SOCIAL ASSISTANCE

**Mr David Winninger (London South):** My question is directed to the Minister of Community and Social Services on the issue of student welfare. Many constituents in my riding, including teachers dealing with high-risk students, have expressed concern to me about how student welfare is being abused.

I recognize that some students suffer serious physical, mental, emotional and sexual abuse in their homes and that these people need protection at all reasonable cost so they may be educated or trained in a secure environment as they rebuild their lives and take their place in society. However, there is a perception that other students are leaving home merely to collect student welfare because they don't like the rules, the curfews or other parental controls.

Minister, what steps are you taking to curb abuse of the welfare system by those under 18 years of age so that funding will be protected for those who have a genuine need?

**Hon Tony Silipo (Minister of Community and Social Services):** I appreciate the question and I do acknowledge that in fact a similar question was asked by the member for St Catharines some time ago. I appreciate this point being raised again because I think that it's an important issue for us to discuss.



Like the member, I would agree that we need to be careful that we keep in mind that the basis for this provision existing in the legislation is to allow for support to be given to those young people who are indeed victims of abuse or in other ways fit the definition of "special circumstances" that is outlined in the legislation. Where there is some outright abuse, part of the work that we are going to be doing through the case file reviews that I announced earlier will help us to check that situation.

Beyond that, as I've indicated earlier in this House, I believe that what we need to do in this area is to define more clearly the rules that apply, define that term "special circumstances" in a more detailed fashion, and then to ensure that it is applied in a more consistent fashion throughout the province. We are doing some work now to outline that and to put that out into the system in a useful way.

**Mr Winninger:** I would ask then what communication there has been with educators, students and welfare case administrators to ensure that student welfare benefits are used appropriately.

**Hon Mr Silipo:** Again, I can tell the member that certainly informally the discussions are continuing, but I know there are some specific initiatives that are being taken also with respect to pulling people together in a more organized way.

There is on May 5 in Kingston a session which I think is the first of a number of sessions that are planned that pull together the kind of people the member referred to—educators, youths themselves, people from the system and others—to help us look at which specific changes need to be made.

I think that out of those discussions we will have some clarity that we can bring to this issue and then be in a better situation to sort out the perception from the reality of what the problem is here and to continue all of that in the spirit of continuing to provide the support to those young people who need it.

#### INTERPROVINCIAL TRADE

**Mr Monte Kwinter (Wilson Heights):** I have a question for the Minister of Economic Development and Trade. Earlier this month you attended a conference of ministers dealing with the issue of interprovincial trade barriers. In a report of the meeting you're quoted as saying:

"Lankin backed off a proposal under which her government would retaliate against other provinces that don't open their markets to the same degree as Ontario. Instead, Ontario agreed that all provinces would treat all companies as well as they treat their own, with some exceptions."

Minister, that sounds very fair and equitable, but it really is a recipe for inequity. If you'll look at the free trade agreement, I want to give you an example of a situation under the Glass-Steagall act in the financial sector: "Canadian financial institutions, securities dealers, banks wanting to do business in the United States are prohibited because of the Glass-Steagall act." Notwithstanding that, the United States says in Canada they're allowed to do it: "We want to be able to do it in Canada

but you can't do it here, but we will give you an undertaking that if we ever change our rules, you'll be able to do it."

That is the kind of thing that could happen under your proposal. Because Ontario is the main economic force in Canada, it is the desirable place for a lot of the other provinces to want to do business. It is very easy for them to say, "This is the way we treat our particular companies in our provinces, but we want to be able to treat your particular companies in the same way as you treat them." 1500

That to me indicates what you're going to have is an extension of the same kind of inequities that we have now where we are prohibited from dealing in other provinces, where the other provinces would be able to deal in Ontario. Could you respond to that?

**Hon Frances Lankin (Minister of Economic Development and Trade):** I thank the member for the question. I actually think we hold a very similar opinion on this issue.

I would take issue with how the press reported a change in position, and I'll set out for the member that there are two approaches. One is reciprocal non-discrimination and the other is national treatment that he's identifying in his question.

Reciprocal non-discrimination, which is the position Ontario has been putting forward in these negotiations as being the basis of how we would proceed with bringing down barriers, says, like we did with Quebec, "Unless you bring down your barriers with respect to construction contractors and construction workers not being able to work in Quebec, then you won't have that access in Ontario any more."

For those provinces that don't bring down barriers, then they would have to deal with the same situation in Ontario, because we feared that this could be a game of negotiations in which Ontario, which is a very open economy to begin with, gains nothing in terms of access to other markets and others continue to have access to Ontario, and that the whole goal of those who want to see interprovincial trade barriers coming down could be thwarted by not having a tough reciprocal approach in this.

The other approach of national treatment has some of the pitfalls that you talked about. There are yet, on the other hand, a number of provinces that feel that this is consistent with GATT and free trade agreements that we've signed internationally.

The position I've taken in negotiations is to speak very strongly for the need to absolutely minimize any general exceptions to this trade deal, and in fact got agreement from the federal government and from some others to take general exceptions out of the overall agreement—

**Mr Chris Stockwell (Etobicoke West):** Holy smokes, Mr Speaker, let's go. Time.

**Hon Ms Lankin:** —and to move into some of the sectoral agreements, to have very specific, transparent and known exceptions that we would negotiate on.

**Mr David Turnbull (York Mills):** Is this a tape recording?



**Hon Ms Lankin:** I will wrap up. My commitment to the province here and the message I delivered at the table was that the success of those sectoral agreements will in fact determine the answer to whether or not Ontario agrees to an agreement that doesn't have reciprocal non-discrimination and moves to a national treatment agreement.

**The Deputy Speaker (Mr Gilles E. Morin):** I would urge the members to keep their questions short and sweet and the answers short and sweet.

**Mr Kwinter:** Minister, in all the reports that came out of your meetings, there was one particular issue that I didn't hear anything about, and I think it's absolutely critical to any kind of interprovincial trade barrier resolution. That is the dispute settlement mechanism. In a country where there are no borders, there are no custom forms going from one province to another, how are you going to make sure, without casting any aspersions on our neighbours, that in fact these things are going to be carried out? Who is going to be able to police it and who's going to be able to adjudicate any particular abuses if they're identified?

**Hon Ms Lankin:** Again, there are a number of approaches that could be taken on dispute resolution. Ontario has taken the position that it should be effective, ie, it has got to work, it has got to get resolved for people as to questions, concerns or complaints that they have; that it should be inexpensive—we don't want to see one that would have a cost to private parties or governments that would be difficult to bear; that it shouldn't create a huge bureaucracy to administer this agreement; that it should not involve recourse to the courts and legalities and long-drawn-out processes. We want to see one that has at its base effective political mechanisms for governments to deal with the issues, government to government, and resolve them within the context of an agreement.

There are a number of proposals that are being developed which come at the possibility of this from slightly different ways. One of the issues is the access of private parties to the dispute resolution mechanism, and at what stages in the dispute resolution mechanism. Those are things that are all currently under discussion and under negotiation, and I'd be pleased to keep the member informed on an ongoing basis.

I want him to know that there are negotiations, meetings going on this week on this issue in Vancouver. We're actually very hopeful that we'll be arriving at a procurement agreement, which will be the biggest piece of all of this.

Lastly, I want to say that the member might read reports from the minister from Alberta, who indicates that there are seven provinces lined up on one side and three on the other. I hope he has been misquoted, because it certainly wasn't the indication of the provinces at the meeting I was at in Halifax. I think in fact there's a growing consensus, and the leadership being shown by the federal government in this has been helpful as well.

#### WORKPLACE HEALTH AND SAFETY AGENCY

**Mrs Elizabeth Witmer (Waterloo North):** My question is to the Minister of Labour. Under section 10

of the Occupational Health and Safety Act, the Lieutenant Governor in Council is charged with appointing all members of the board of directors of the Workplace Health and Safety Agency, including the executive director of the agency.

The executive director is charged with managing "the operations of the agency in accordance with the directions of the board of directors." This individual is to be the CEO of this organization, responsible directly to the board and appointed by the government. The act is very clear about this.

Could you tell us today then why the agency is proceeding to hire, with your blessing and your knowledge, a new executive director through regular civil service competition and make that person accountable directly to the two vice-chairs at the agency rather than the board of directors? Is this not a direct violation of the act by your government?

**Hon Bob Mackenzie (Minister of Labour):** I'd like to get back to the member across the way with that specific question.

**The Deputy Speaker (Mr Gilles E. Morin):** The time for oral questions has expired.

#### WRITTEN QUESTIONS

**Mrs Barbara Sullivan (Halton Centre):** On a point of order, Mr Speaker: I rise on a point of order with reference to section 97 of the standing orders, particularly paragraph (d). This section of the standing orders is with respect to written questions which are placed on the order paper.

I have now 22 questions on the order paper. Five of them are substantially past the period of time when the response is required from the minister under the orders. Section (d) of the standing orders indicates that:

"The minister shall answer such written questions within 14 calendar days unless he or she indicates that more time is required because the answer will be costly or time-consuming or that he or she declines to answer, in which case a notation shall be made on the Orders and Notices paper following the question..."

There has been no such a notation with respect to the questions which are overdue. There has been no indication that a minister declines to answer. There has been no indication that more time is required on any of these questions.

The questions refer to the operation of the OHIP fraud line, feasibility studies and cost analyses on the Ontario health card photo identification feature, environmental sensitivities, the chiropractic review and the full accounting of the \$647 million which has been promised for long-term care reform.

These are important questions. I have been asked by many organizations and individuals to seek the responses to these questions. We know that the purpose of a written question is that the issue is perhaps not of urgency, which is covered—

**The Deputy Speaker (Mr Gilles E. Morin):** Thank you. Minister, perhaps you'd like to give some explanation to the question that is requested of you. Would you have any explanation at all?



**Hon Ruth Grier (Minister of Health):** No.

**The Deputy Speaker:** You have no comments to make? There's nothing the Speaker can do, except to ask the minister. The minister has no comments.

**Mrs Sullivan:** Mr Speaker, the standing orders are very specific. They say, "The minister shall answer such written questions within 14 calendar days," and there are precise—

**The Deputy Speaker:** Let me repeat to you, for your benefit, what I have said is that the minister heard you. She didn't want to make any comments whatsoever and the Speaker is not in the position also to answer the question for the minister, so I believe that the Chair has treated you fairly.

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## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Government House Leader):** I move that notwithstanding standing order 96(h), the requirement for notice be waived with respect to ballot item number 50.

**The Deputy Speaker (Mr Gilles E. Morin):** Is it the pleasure of the House that the motion carry? Carried.

## PETITIONS

### GUN CONTROL

**Mrs Elinor Caplan (Oriole):** I have a petition to the Legislative Assembly of Ontario:

"Whereas it is imperative that we make our streets safe for law-abiding citizens;

"Whereas any person in Ontario can freely purchase ammunition even though they do not hold a valid permit to own a firearm;

"Whereas crimes of violence where firearms are used have risen to an alarming rate;

"Whereas we must do everything within our power to prevent illegal firearms from being used for criminal purposes;

"We, the undersigned, petition the Legislative Assembly as follows:

"To immediately pass Liberal Tim Murphy's private member's Bill 149 to prohibit the sale of ammunition to any person who does not hold a valid firearms acquisition certificate or Ontario Outdoors Card."

I support this petition and will be affixing my name.

### JUNIOR KINDERGARTEN

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the previous provincial Liberal government of David Peterson announced its intention in its budget of 1989 of requiring all school boards to provide junior kindergarten; and

"Whereas the provincial NDP government is continuing the Liberal policy of requiring school boards in Ontario"—

**Mr Tim Murphy (St George-St David):** Not true. Not true.

**Mr Arnott:** —yes, it is true—"to phase in junior kindergarten; and

"Whereas the government is downloading expensive programs like junior kindergarten on to local boards while not providing boards with the required funding to undertake these programs; and

"Whereas the Wellington County Board of Education estimates that the operating costs of junior kindergarten will be at least \$4.5 million per year; and

"Whereas mandatory junior kindergarten programs will force boards to cut other important programs or raise taxes; and

"Whereas taxes in Ontario are already far too high;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government of Ontario cancel its policy of forcing junior kindergarten on to local school boards."

It's signed by a number of my constituents and I endorse it as well.

### LAND-LEASE COMMUNITIES

**Mr Gordon Mills (Durham East):** I rise to present a petition on behalf of the hundreds of residents who live in my riding in the community known as Wilmot Creek.

"Whereas Bill 21 has received second reading in the Legislative Assembly of Ontario; and

"Whereas Bill 21 will provide needed protection to owners of mobile homes in mobile home trailer parks and owners of modular homes in land-lease communities; and

"Whereas many owners of mobile homes are threatened with eviction and loss of their investment in their mobile home by the action of their landlord;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario as follows," and I hope the Tories are listening, particularly the member from Mississauga:

"To proceed as expeditiously as possible with third reading of Bill 21."

I've signed that petition and I know the member for Northumberland is in agreement with that.

### SEXUAL ORIENTATION

**Mrs Joan M. Fawcett (Northumberland):** I have a petition to the Legislative Assembly of Ontario.

"Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it.

"We believe that there will be an enormous negative impact on our society, both morally and economically, over the long term if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, but since the words 'sexual orientation' have not been defined by the Ontario Human Rights Code and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age and sex, we believe all such references to sexual orientation should be removed from the code.

"We, the undersigned, petition the Legislative Assem-



bly of Ontario to refrain from passing Bill 45."

I have signed the petition.

#### LAND-LEASE COMMUNITIES

**Mrs Irene Mathysen (Middlesex):** Like my colleague from Durham East, I too have a petition, only this one is from the residents of Twin Elms in Strathroy in the county of Middlesex. They petition the Legislative Assembly of Ontario as follows:

"Whereas Bill 21 has received second reading in the Legislative Assembly of Ontario; and

"Whereas Bill 21 will provide needed protection to owners of mobile homes in mobile home trailer parks and owners of modular homes in leased-lot communities; and

"Whereas many owners of mobile homes are threatened with eviction and loss of their investment in their mobile home by the action of their landlord;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To proceed as expeditiously as possible with third reading of Bill 21."

I have signed my name to this petition.

#### GUN CONTROL

**Mr Robert V. Callahan (Brampton South):** I have a petition signed by a number of the citizens of the province of Ontario. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas it is imperative that we make our streets safe for law-abiding citizens;

"Whereas any person in Ontario can freely purchase ammunition, even though they do not hold a valid permit to own a firearm;

"Whereas crimes of violence where firearms are used have risen at an alarming rate; and

"Whereas we must do everything within our power to prevent illegal firearms from being used for criminal purposes;

"We, the undersigned, petition the Legislative Assembly as follows:

"To immediately pass Liberal Tim Murphy's private member's bill, Bill 149, to prohibit the sale of ammunition to any person who does not hold a valid firearms acquisition certificate or Ontario Outdoors Card."

It's signed by a number of residents.

#### INTRODUCTION OF BILLS

##### AMMUNITION CONTROL ACT, 1994

##### LOI DE 1994

##### SUR LA RÉGLEMENTATION DES MUNITIONS

On motion by Mr Chiarelli, the following bill was given first reading:

Bill 151, An Act to control the Purchase and Sale of Ammunition / Projet de loi 151, Loi visant à réglementer l'achat et la vente de munitions.

**Mr Robert Chiarelli (Ottawa West):** The bill restricts the sale of ammunition to persons holding a valid Ontario Outdoors Card with the appropriate hunting licence or a valid firearms acquisition certificate.

#### ORDERS OF THE DAY

##### EMPLOYER HEALTH TAX AMENDMENT ACT, 1993

##### LOI DE 1993 MODIFIANT LA LOI SUR L'IMPÔT PRÉLEVÉ SUR LES EMPLOYEURS RELATIF AUX SERVICES DE SANTÉ

Mr Sutherland, on behalf of Mr Laughren, moved second reading of the following bill:

Bill 110, An Act to amend the Employer Health Tax Act and the Workers' Compensation Act / Projet de loi 110, Loi modifiant la Loi sur l'impôt prélevé sur les employeurs relatif aux services de santé et la Loi sur les accidents du travail.

**Mr Kimble Sutherland (Oxford):** The government is proceeding with its amendments to the Employer Health Tax Act to ensure that self-employed individuals pay provincial health tax.

Since 1990, employers in Ontario have been helping to fund, through an employer health tax, our health care system. The government is moving now to equalize this situation by requiring people who are self-employed to pay their fair share of health tax as well.

This bill would ensure that self-employed individuals with income of more than \$40,000 a year, some of which must be earned in Ontario, pay the employer health tax. Individuals in this category will be taxed on their net self-employment income according to a similar rate system that applies to Ontario employers.

After consulting with stakeholders, the government has agreed to provide the self-employed with a 22% tax deduction on their health tax otherwise payable. This deduction will compensate self-employed individuals for the fact that they were unable to claim health tax as an income tax deduction on their self-employment income.

The government recognizes that Ontarians who earn self-employment income from businesses located in jurisdictions other than Ontario have legitimate concerns about the application of this tax to their self-employment income earned outside of the province. After consulting with these stakeholders, the government has agreed to apply the tax only to the proportion of an individual's self-employment income allocated to Ontario for personal income tax purposes. This will prevent double taxation should other provinces implement a similar tax.

The employer health tax for self-employed individuals will apply to fiscal periods ending after December 1, 1992. There will be prorated relief for 1993 fiscal years which straddle the date of the 1992 budget announcement. The revenues this tax will generate will help the government to continue to provide quality health care for all Ontarians.

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**The Deputy Speaker (Mr Gilles E. Morin):** Questions or comments? Are there any other members who wish to participate in this debate?

**Mrs Elinor Caplan (Orillia):** I rise to participate in today's debate as the Revenue critic for the official opposition. I have some very strong feelings about Bill 110 and I'd like to put my remarks today not only in the context of Bill 110, which is An Act to amend the Employer Health Tax Act and the Workers' Compensa-



tion Act, as it has been stated, but also in the general context of tax policy.

These debates on taxes and tax policy are a very good opportunity for people who are watching the debate to have a better understanding of how taxes—tax policy, fiscal policy—have impacts on our economy and perhaps what some of the alternatives are.

I'd like to start this debate by reminding the parliamentary assistant, you, Mr Speaker, and members in this House as well as people who are watching that once again we have an example of a piece of legislation which is a result of last year's 1993 budget tabled by Floyd Laughren almost exactly one year ago. The legislation itself to implement that budget announcement was not tabled until October 26, 1993, and here we are today, April 18, 1994, debating second reading of legislation.

For those who understand the legislative process, they will understand my frustration. We have a piece of legislation implementing a tax which the government has been collecting now since last year. We know that this was part of the 1993 budget. The 1994 budget is yet to come and we have just heard from the parliamentary assistant today that they will be making some changes to Bill 110 and bringing forth amendments.

What I found interesting and frustrating was that just last week we debated the retail sales tax bill, Bill 138, and today, April 18, a week after that debate, where we were in exactly the same situation of debating a piece of legislation almost a year after it had been announced, and certainly almost a year after it had been implemented, we see an announcement from the Treasurer where he is announcing a lowering of the produce-your-own-beer-and-wine tax on last year's tax. We know that the Treasurer will be bringing forth his new budget within a matter of weeks, some are predicting days; most are expecting the new provincial budget before the end of April.

One can only wonder whether it was the debate in the House just last week that convinced the Treasurer to make this change in the tax structure for those who produce their own beer and wine. I would hope that the debates in this Legislature do influence government policy. As the representative for the riding of Oriole since 1985, I have said on numerous occasions that I believe that an individual elected to this Legislature can influence public policy no matter which side of the House they sit on.

Having had the opportunity to serve on the government benches between 1985 and 1990, I will tell you that you can certainly influence in a more direct way the development of public policy as a member of the government and as a member of the executive council, the cabinet, but as I believe is shown by the announcement today by the Treasurer in advance of his new budget, I believe an individual on the opposition benches can influence public policy in a positive way, notwithstanding the fact that it is often in the form of criticism as well as offering alternatives and advice to the government.

I find it absolutely amazing that within weeks of the new budget, the Treasurer would announce that he is going to be amending a piece of legislation in this House, implementing last year's budget, that has not yet com-

pleted second reading, and this is just weeks before the new budget. Talk about creating chaos. Talk about creating frustration. Talk about sending out the wrong signal of stability and predictability. As much as we welcome the reduction in taxes to the produce-your-own-beer-and-wine industry—we do welcome those; it is long overdue.

The announcement today by Mr Laughren, the provincial Treasurer, says that these debates are long overdue, especially if we are going to be able to influence the government not only in the fiscal and economic policies that they are bringing forth to the province of Ontario, but also in delivering the message to them that the number one priority for my constituents in the riding of Oriole and the number one priority of concerned citizens across Ontario is a strong economy and a hope for a job in the future.

There are people who have lost their jobs who always believed that they had secure jobs. There are people today in Ontario who are worried they are going to lose their job tomorrow. Therefore, in order to give those individuals confidence that they will have an opportunity to live and to work and, yes, to play in the province of Ontario, and to give individuals confidence that there will be opportunities for their children in this province, the tax policy of the government is extremely important because tax policy can dampen the economic activity in the province of Ontario.

Sometimes I do feel like a broken record because over and over again we offer the government good advice, we offer them good suggestions and they simply don't listen to us. As we begin the debate on Bill 110, which is an amendment to the Employer Health Tax Act and some amendments to the Workers' Compensation Act, my theme will be similar.

As I said, once again we see a piece of legislation which is a year late, tabled in October to implement a budget that was presented last spring of 1993, and here we are having second reading of a piece of legislation that could affect 38,000 self-employed people, people who consider themselves small businesses, and we know that it is the small business, the singular, often self-employed, the entrepreneur, those who are building small businesses in this province, who make up 85% of the economic activity in the province of Ontario, not just those 38,000 but the hundreds of thousands of individuals who are actively employed in the small business sector.

Certainly, the 38,000 of those who would be classified as self-employed are the ones who have a very significant interest in Bill 110 and are quite frustrated that at a time when the economy is just beginning to recover—we know that recovery is slow and we know that it unfortunately is not producing as many jobs in the private sector as we would like—they see Bill 110, which yet again is anything but an economic stimulus. It is a further economic depressant, particularly for those individuals who, for the first time, are having to face a new tax. I have said this before and I will say it again: Tax reform should not mean tax increases.

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We heard Bob Rae proudly stand in this House and



refer to his new tax commission, a mandate for looking at fair taxes in the province of Ontario. What people thought that was going to mean was the moving around of taxes, tax reform, making sure that people paid their fair share. But more and more I've heard people refer to the NDP tax commission not as the Fair Tax Commission but as the More Tax Commission. If there is one thing that the province of Ontario cannot tolerate at this time, as we just begin to come out of this recession, it is new taxes.

I believe that everyone should pay their fair share of taxes, and if in fact this were a tax reform bill that extended the opportunity to pay a fair share, one could legitimately argue that the overall rate could be and should be reduced for everyone. I think there would be tremendous support for the notion that says, "If you are going to expand the base on the tax to include those who rightly should pay their fair share, then this should not be yet another revenue grab, this should not be seen as the government attempting to take more, and certainly at this important time in Ontario, as we want to see economic recovery and jobs created in the private sector, this should not be a time when government takes additional dollars out of the economy in the form of new taxes."

Bill 110 will take additional dollars out of the economy in the form of new taxes on the 38,000 self-employed individuals who will have to pay the EHT. What I'd like to say again, since we are now discussing the employer health tax, is the history of where this tax came from. It's important to put on the record that at the very same time that the employer health tax was brought into being in the province, Ontario health insurance plan premiums were eliminated. So in fact you did have real reform. You had the elimination of what some saw as a very unfair tax called premiums for health insurance benefits, called OHIP. Those premiums were a tax, and that tax was unfairly being paid.

Why was that tax unfair? Because what we saw in the province of Ontario was that the OHIP premium was being paid by some employers; some employers were paying all of it; some employers were paying part of it; some employers were paying none of it. We saw as well about 11% of the population of Ontario were paying their own premiums, and who were those people who were paying the premiums? Primarily they fell into the category of those who could least afford the premiums: the working poor.

The other thing that we saw was a huge bureaucracy collecting premiums. Yet we know that because of the values of compassion within the province of Ontario, if there was someone who could have and should have paid their premium but didn't, and found himself in a medical emergency, he did receive care. No one was turned away. As it should be, we responded to the needs of individuals in the province of Ontario by looking after those who were in a needy state of medical emergency.

Then the policy of the government said—and this was not just the policy of the Liberal government; this was also the policy of the Conservative government before us, and I believe that it was a just policy: "If you pay three months in back premiums, we will cover you for all of

your expenses." So it was very unfair, in my view, to continue OHIP premiums. We know that there was only a small portion of the total costs of health care in Ontario paid for by OHIP premiums. The intention of the employer health tax was never to pay the full shot of the health care costs in the province of Ontario.

One of the benefits of our single-payer plan in Ontario, that's our Ontario health insurance plan, is that health costs are funded from numerous sources. In the past it was premiums; now it is the employer health tax which pays today just a portion—I think if you would look at the figures you would see that the employer health tax today is paying for about 16%, 17%, maybe 18% of the cost of health care in the province of Ontario.

Where does the rest of the money come from? That's a very good question as we debate the employer health tax. We know that some of the money, some of the resources we spend on health care through the Ministry of Health, comes from personal income tax, a portion of it comes from sales tax and a portion of it comes from corporate taxes as well. Some of it undoubtedly will come from the varying fees and licences.

How can I say exactly how much comes from each one? You can't, and that's because the way the province of Ontario collects its resources and then allocates its funds is one where all the money goes into one big pot and that big pot is called the consolidated revenue fund. Then the province, through the treasury, says to each ministry, "For the services, this is how much you will receive."

We know the Ministry of Health is receiving almost one third of all of the dollars collected by the provincial treasury. We know that, of the approximately \$17 billion that's spent by the Ministry of Health on behalf of the taxpayers of the province of Ontario, the employer health tax generates less than 20% of the total cost of health services.

Why was it called the employer health tax and why have we kept that name? Well, when we look at how we fund health services and when we consider not only what's happening in Ontario but what's happening in other jurisdictions, we know, and we believed at the time we were in government, that it was extremely important for employers to have an interest in the health of their employees. We know it is extremely important for business to feel that they are participating in helping to keep the costs of health care services down and under control. We also know, particularly from our neighbours to the south, that often business is looked to to share the cost of providing health services for their employees.

An example in the United States today, where the debate on how they're going to be providing health care to their population rages—and, unfortunately, I believe it's become a very partisan debate rather than looking at the examples of what the options are for them. I don't wish to offer the Americans any advice during this debate but rather to explain to Ontarians who are watching what is happening. I think sometimes we tend to export our rhetoric to the United States, particularly our rhetoric about some of the concerns that we have within our system, and they feed it back to us and then we buy it.



In fact, the debates that are going on in the United States are because the Americans, an overwhelming percentage—a recent Harris poll that I heard the results of suggests that almost 90% of the population in the United States are dissatisfied—I'm sorry, I've got the number wrong. It was almost 70%—67% of the people in the United States were dissatisfied with their own plan for the delivery of health services and almost 90% of Canadians were quite satisfied with the method that we use for the delivery of services.

It's important that that be a part of this debate because one of the things we know is that the cost of health care services to employers in the United States is a very significant part of the Clinton plan. But even before the Clinton plan, payment by employers for their employees' health coverage was the way that the United States functioned.

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The result of that is that in steel, for example, what we've heard from Lee Iacocca and others in the steel industry is that health care costs employers more than steel and almost \$700 per employee in the United States, whereas in Canada—and this is one of our competitive advantages—the cost to employers on the same basis would be approximately \$50 or \$60 per car for employees. So it's \$700 a car, more than the cost of steel, in the United States; \$50 to \$60 per car in Canada.

That is an enormous competitive advantage, but what it signifies in the North American context and around the world is that business does have an obligation to help keep their workforce well and healthy. Also, because of their interest in sustaining and maintaining our competitive advantage in Canada, it is very important for us to be very aware of the implications of a payroll tax such as the employer health tax.

I can tell you that when the employer health tax was brought in, the amount of revenue that it was expected to generate was in fact considerably less than what it is generating today. The estimates that we had from the treasury on how much revenue would be generated from the employer health tax were less than what is actually being generated.

I can say with honesty that it was never our intention to see the employer health tax take as much in the way of revenue out of the employers, if you will, from their payrolls, as has been the reality. It is one place where rather than just extending the tax to generate even further revenue, if I were giving the government a place, and I am giving the government a place, where it could look to lower the tax, the employer health tax, in my view, would be a very good place to look. The reason is because payroll taxes, which the employer health tax is, can be seen by many to inhibit job creation. Particularly at a time in the economy today when what you want to do is spur job creation in the private sector, relief on the payroll tax would be a very good place to start.

So I would say to the government that Bill 110 could be amended, and should be amended, to reduce the rate so that you would see this as a benefit to the payroll taxes of employers, who could then create more jobs in the private sector.

I'm sure that one of my colleagues is going to say, "Well, why didn't you do that when you brought the tax in?" That's a fair question, and I'm going to answer that question here and now today. When this tax was brought in, Ontario's economy was booming. It was so buoyant that many thought it would continue for ever, and I was one who hoped and prayed that it would have, because Ontario led the western world in economic activity at the time that we eliminated premiums for OHIP and brought in the employer health tax. In those times, as I said, our estimates of the revenue that would be generated from the employer health tax were less than the amount of revenue that it is actually bringing in.

So you have an opportunity as government, since the taxes that it is generating are higher than what was anticipated or desired at that time and the economy has changed—rather than being the most buoyant economy in the Americas, in North America, and in fact in the western world, what we have is an economy that is struggling to come out of this terrible recession that has ensued since those buoyant and happy days of the late 1980s. One of the ways that you could respond to that as you extend, through tax reform, the employer health tax to all of those, who would be more than willing to pay their fair share as long as they didn't feel they were paying more than their fair share—then I think you would have much greater support for Bill 110 or a bill of its type.

There are a number of things that I'd like to say, but I don't want the debate to go on for too long. I do believe that the extension of the employer health tax in the way the government is doing it really will hamper the kind of entrepreneurial spirit of the individual self-employed that is needed at this particular time in order to ensure a stronger recovery in the province of Ontario.

I also believe that one of the things government must do is eliminate red tape, eliminate the kind of bureaucratic, "one more form to fill out" kind of attitude of government. What I see in the way that the EHT is being implemented is in fact more bureaucratic red tape, more forms, more paper and more of that burden on the small business person, the self-employed, who can least afford, in many cases, the kinds of expertise to fill out all of these forms on their behalf.

The proposed structure—and I am looking for some clarity in the form of amendments from the parliamentary assistant, because I think the government is responding to one of the big arguments that I was going to make about the employer health tax with amendments. So I'll be watching for those amendments very carefully, because I think that as it is proposed in Bill 110, unamended, this will unfairly penalize people who invest large amounts of capital in their businesses in Ontario, and also those who have income from sources outside Ontario.

I think I heard the parliamentary assistant say that they would be making amendments that would address that concern. The only thing I would say to him is that the problem with placing the amendments today, on April 18, 1994, is that, again, you've been collecting this since last year and the people who are paying and must pay have waited too long. That was the sort of change that in my



view should have come when the legislation was tabled in October. Certainly the government had sufficient time to see how this act was being implemented and how the tax was being collected from the time it announced it in the budget in April until it tabled the legislation in October.

Here we are offering amendments to this piece of legislation almost a full year after it's been in place. I would ask the parliamentary assistant, have you been collecting this tax? What are you going to do? Will your amendments be retroactive so that you can refund to those people if you have collected the tax inappropriately? Will the amendments be retroactive to the date when the tax started to be collected? Now, if I'm mistaken—and it could be that they have not been collecting the tax—then in fact I'd ask that they clarify that so that if there is any confusion out there, people will know.

The other reason I ask for it to be clarified is my assumption that some of this may be done through the income tax system. If it's being done through the income tax system, the final filing date for income tax is April 30 and therefore the timing of this could not be worse for individuals who will be affected by the EHT. So I'd ask for some clarification on what the implication here is.

Some clarification, I think, would be helpful to those individuals who are concerned about the impact, particularly for those who have made large capital investments, as well as those who have income from other sources outside Ontario but where the payroll and the earnings actually are within Ontario. I'd ask for those to be clarified by the parliamentary assistant before the end of the debate today. Perhaps he could when I wrap up my remarks, which will be in just a very few minutes.

1550

One of the things that I'm always asked is, "What would you do differently?"

**Mr W. Donald Cousens (Markham):** I've never asked you. I've never asked the member for Oriole, "What would you do differently?" We don't want you to get in.

**Mrs Caplan:** I hear Mr Cousens asking the question yet again. He does it all the time in his two-minute responses, so I'm going to pre-empt him today. I see he is in tears, he is so upset. Sometimes around this place it's good to have a little laugh. We can't take ourselves too seriously. But I do take Mr Cousens very seriously when he says, "What would you do differently, Elinor?"

I'd like to place on the record the recommendations of the Liberal minority report for the standing committee on finance and economic affairs of the province. These are our recommendations for this coming budget, which is coming down within the next few weeks. I hope the Treasurer has listened. He's had these recommendations for some time now, but I would like to place them on the record.

There are seven recommendations and I will just take a few minutes to put them on the record. What you will notice is that many of these recommendations were very similar to the Liberal minority report on the budget last year. The Finance minister didn't listen to us last year,

but I'm hoping he will listen to us this year.

The first is probably the most significant and important recommendation. It's the reason I will be opposing all of the budget bills from last year's budget, because I believe it was wrong fiscal policy last year to raise taxes in the province; I believe it was wrong economic policy to raise taxes. I think it hurt the economy. We are saying to the government, "The 1994-95 budget must contain no new or increased taxes," and that includes fees.

Second, "The 1993-94 budget"—that's the one that's coming now—"must present Ontarians with an action plan for getting the economy moving again." That may well include some tax decreases, and I hope we see it will, such as was evidenced today by the tax decrease on the produce-your-own beer and wine.

Third, and this is extremely important if the business community as well as consumers and citizens in Ontario are going to have confidence, "The government should adopt the accounting standards of the Canadian Institute of Chartered Accountants for both the public accounts and the budget statements." If he did that, maybe the Provincial Auditor would then attest to those budgets and it would instil greater confidence in the budget-making capability and the books of the province. That is extremely important, if we are going to have investors confident enough to invest in Ontario.

Fourth, "In order to instil a sense of confidence among consumers and investors, the government must keep to its deficit reduction plan set out in the 1993 budget without resorting to questionable bookkeeping." According to Mr Laughren, they're already off by \$2 billion; they're not going to make the \$6.8 billion. It's my hope that we will see the deficit plan come in at \$8 billion or less. I would have preferred to see the achievable \$6.8 billion that was in the expenditure reduction plan, but I fear we will not.

Fifth, "The government must initiate a serious review of public expenditures. The government must examine how to 'reinvent' itself and redefine how it delivers its services."

I'm going to put this statement on the record, because it is something I believe in fundamentally as a Liberal. I believe very strongly that if the government would embrace this, we could get on with delivering of services that the people of this province need and want in a way which is certainly both more effective, more efficient and more affordable, and that is:

"Government should provide only those services that government should provide and that only government delivers best. The government should decide which tasks can be best performed by other levels of government or the private sector and which tasks should be eliminated entirely."

Sixth, "The government must initiate measures to get the"—

**Mr Cousens:** How many points do you have?

**Mrs Caplan:** I have seven points. "The government must initiate measures to get the Workers' Compensation Board costs under control and ensure that employers do not face any more assessment increases." It's extremely important.



Seventh, "The government must restore the balance of current provincial labour law to ensure that both sides have equal rights in the bargaining and organizing process."

That is the standing committee on finance and economic affairs Liberal minority report. It's their recommendations to the government of an alternative fiscal and economic plan that we believe, if the government would follow it, would bring prosperity to Ontario.

The other thing I'd like to say is that I'm very proud of the work that's been done by the Lyn McLeod job task force. As we are discussing tax policy and fiscal policy, I would commend to anyone who hasn't seen it the *Getting Ontario Working Again* document that has been put out by our leader and our caucus. I know many people have seen it. The report is available. It is a comprehensive plan to get Ontario working again, and it has a five-part plan for success.

The one that is probably the most significant when you're discussing tax policy is that if the government commits itself to getting Ontario working again, we would do that by setting the kinds of goals that would be a stretch, that would require getting everyone to work together to reduce unemployment from the levels that Bob Rae has said are likely during his term of office and beyond.

We're saying that's not good enough, that if you had a government with the kind of foresight and vision Lyn McLeod and her team are proposing, tax policy and economic policy and social policy could go hand in hand to renew the vitality of the Ontario economy.

Let me tell you what this paper has to say about taxes. That's only one part of the plan, so it's important that we look at it comprehensively, but because we don't have a lot of time, I'd like to place on the record what they say about taxes.

**Mr Anthony Perruzza (Downsview):** On a point of order, Mr Speaker: I understand she's reading from the book, because she keeps making reference to it. I'd be really interested to get a copy of that book and I want to know if that's available for circulation to all the members. Can we get one?

**The Acting Speaker (Mr Noble Villeneuve):** That's not a point of order. The honourable member for Oriole, please resume your participation in the debate.

**Mrs Caplan:** We would gladly make a copy available to any member of the public or any member of the Legislature who would be interested in reading the paper.

Under the part of the recommendations entitled "Letting the Economy Breathe," the Liberal task force found that the job-creating sector of our economy, that is, the private sector, feels stifled "as it looks to grow and expand. If we can find ways to let businesses 'breathe,' we are convinced that they can and will grow and create jobs" in the private sector of the province.

"(a) Taxes: There is no doubt that economic growth in Ontario is being hampered by taxes. We are recommending that we set a goal of actual tax reduction—specifically a 5% reduction over a five-year period.

"The [jobs] task force fully appreciates the challenge

of this, considering the province's substantial deficit and continuing spending pressure.

"However, we have concluded that the necessary economic growth to generate the incremental jobs may not be possible without some tangible evidence of action by government to improve consumer and business confidence.

"In very general terms, to effect a 1% annual decrease in the level of taxation, Ontario would need to see an incremental annual 0.5% growth in the real GDP. The task force believes that the total plan for the 'Getting Ontario Working Again' team should have the potential to deliver an incremental GDP growth in that range."

We speak about a dramatic reduction of regulation and paperwork, and of course that is extremely important, and we set the goal of a 50% reduction in the cost for businesses in dealing with regulation and paperwork imposed by government.

We also speak about the need for deficit management and make the commitment to a balanced operating budget within the first mandate of a new government.

1600

As I said, I'm not going to go through this in detail. This speaks to an alternative, a plan, a suggestion for fiscal and economic policy. It also has some very specific and concrete suggestions regarding tax policy. With a budget coming out in just a few weeks, there is still time for the Treasurer to reconsider the misguided tax policy of the NDP government, which during this time of economic recession has been devastating to the private sector, to businesses and to individuals in this province, who would have preferred to have the additional dollars to spend on capital investment or purchases for families.

I don't think anybody believes there are easy and simplistic solutions. I certainly don't. However, I do think that with a government that perhaps, rather than being ideologically driven, would open its mind—if they would open their minds to ideas and suggestions such as the ones we have put forward, I think we could see a better economy, more jobs and certainly a greater sense of confidence and predictability coming at a time when that's exactly what Ontario needs.

The last thing Ontario needs is a bill like 110 that simply raises, or attempts to raise, additional revenues in the province. We know what's happened in the past when NDP tax policy has attempted to raise an additional \$3 billion. The actual fact is that we have seen \$2 billion less collected in revenues in the province, notwithstanding the additional tax structures and tax increases that have been put in place by the NDP.

I am aware that the world has changed. I know that in the late 1980s the province of Ontario was prosperous and led the western world in economic activity. I know that today we are lagging behind many of our neighbours in economic recovery. I think the difference between leading your neighbours and following your neighbours is leadership in government. I'm proud of the leadership in opposition that Lyn McLeod has put forward, the alternatives and the suggestions that the Liberal caucus has put forward.



I would say to the NDP government, which should be focusing its time and its attention on governing and not simply on electioneering, that this is a good time to look at changes of policy that will help the economy of Ontario rather than further hindering it. I believe that Bill 110 will further hinder the economy of the province of Ontario, and I will not be supporting Bill 110.

**The Acting Speaker:** Questions or comments?

**Mr Jim Wiseman (Durham West):** It's a pleasure to stand here this afternoon after listening to the Liberal critic. I'm somewhat taken aback at this new level of zeal to be tax fighters like the Tories.

If you go back to the budget of 1984-85, which saw revenues of \$23.38 billion, I wonder where she was when that was increased by almost \$2 billion in revenue enhancements to \$25 billion, or where she was in 1986-87 when it went up almost \$4 billion, or in 1987-88 when it went up \$3 billion, or in 1988-89 when, my goodness gracious, it went up \$4 billion again. Then in 1989-90, when it went up \$5 billion, I wonder where she was.

I'd also wonder where she was in the last year of the Liberal mandate, when their spending increased by 14.7%. The whole time they were in office, their spending went up at astronomical rates. Meanwhile, in my riding, for example, they couldn't find any money to expand the hospital in one of the fastest-growing areas of Ontario—no money. We found that money at a time when funds were decreasing. The 5% reduction they are talking about, the balancing of the budget they are talking about—they don't give any ideas of how they're going to do it. A 5% reduction in my hospital is going to lay off 100 nurses. I'd like them to say how they're going to supply and keep people working when they're laying off that number of people from my hospital in my riding and in my schools and all over the province.

**Mr Steven W. Mahoney (Mississauga West):** I hope to have an opportunity later today, if there's time, depending on how long the critic for the third party goes, to speak on this bill. But I want to congratulate the member for Oriole who, as usual, brings a rather descriptive analysis of the government's legislation.

Fundamentally, what the member is saying is that there is an obvious loss of any confidence in the business community to invest in Ontario. This is not just opposition rhetoric. We hear this everywhere we go. I recently completed a two-month outreach tour on workers' compensation. The minister will be, I'm sure, delighted to read the report, which will be available later this week. Hopefully, the government will look at some of the ideas, because they're not my ideas; they're ideas that were brought to me as the critic and to our outreach tour from people all over the province.

The one message we heard was very, very consistent, and it came from the supposed great supporters of the NDP. It came from the labour movement, it came from the small business community in Thunder Bay and in Ottawa and in Chatham and in Barrie and in Peterborough and right across the province. They said, "We're not getting jobs created in this province because nobody has any confidence in the future of the province."

**Mr Randy R. Hope (Chatham-Kent):** Oh, come on.

**Mr Mahoney:** Everybody, Randy, said that, because they had no confidence in Bob Rae or Floyd Laughren.

So what do we get? Your response to try to create jobs in the province is to bring in a week-long session of tax bills. That's the NDP's response to try to get the economy going. When are you going to get it, guys? You increase taxes and you decrease the revenue you need and we all need in this province. Wake up.

**Mr Cousens:** Are these Liberals we're hearing from? Are these the very people who in 1989, when Robert Nixon was the Treasurer, came in and announced the employee health tax? That was Bill 89.

By the way, I saw the member for Oriole yesterday at the Armenian centre in her riding. There isn't any doubt that you are an excellent politician, because you can come together, as we did yesterday, in a non-partisan way and support a group of people within our society, as we both did fairly and nicely. You were so hospitable to me there that I have to say, when I speak to you now, I hope you won't begrudge the fact that we're now in the Legislature and can no longer have that social grace that was so nice yesterday. But I compliment the member for yesterday, as I was in her riding at the Armenian cultural centre. It was a fine event and we both shared the platform and said the same kind of thing.

But today I'm here listening, and is this the same Elinor Caplan I was with yesterday? I am thinking of you more as the person who was on the David Peterson cabinet. You could confirm for us, were you in the cabinet when the employee health tax was first thought of and discussed? Were you in the cabinet when the Treasurer came forward and said—

**Mrs Caplan:** OHIP premiums.

**Mr Cousens:** "Is the way we're going to get rid of OHIP premiums, go with an employee health tax?" Were you there for those discussions? If you were there for those discussions, how could you today, with any conscience at all, come out and make the speech you just did? I don't sense it's the same person.

**The Acting Speaker:** Thank you. One final participant, the parliamentary assistant to the Minister of Finance.

**Mr Sutherland:** I'd like to respond first of all to some of the technical questions the member for Oriole raised. Let me just say that Bill 110 was introduced on October 26, 1993. The first instalment for the self-employed was not due till November 15, so therefore there isn't any retroactivity for out-of-province payments. We're not proposing any new amendments. Bill 110 replaces the old Bill 27, and the changes were made when we brought in the new Bill 110 versus Bill 27 regarding out-of-province people.

1610

The member for Oriole, in her remarks, though, talked about changes that their new jobs thing is going to do and about reorganizing government and the services it provides. Where has the member for Oriole been? Look what that government did throughout the 1980s in health care. Rates increased by an average of 10% per year.



We've got that down to 1%, working in cooperation with our partners out there: hospitals, doctors, nurses, all the different groups out there. We are changing those services. We are, in terms of long-term care reform, going to more community-based services.

The member talks about the Workers' Compensation Board. Do you know what the unfunded liability of the Workers' Compensation Board was in 1980? It was only \$400 million. Do you know what it was in 1985? It was \$6 billion. By 1990 it was over \$10 billion. The fact is, in my view, that the Liberals have no credibility on Workers' Compensation Board issues because they didn't deal with it. They didn't manage those issues.

This government has been dealing with the very difficult economic times. We've been out there creating hundreds of thousands of jobs in cooperation with our partners. We are making the tough decisions on Ontario Hydro and on the Workers' Compensation Board, decisions both the Liberals and Tories ignored. They didn't deal with them. They ignored them. They didn't manage them, and that's why we're having to do it now.

**The Acting Speaker:** This completes questions or comments. The honourable member for Oriole has two minutes in response.

**Mrs Caplan:** In my two minutes in response I'd like to just take issue with the member for Durham West, I believe, who suggested that in the last year of a Liberal government the spending was a 14% increase over the previous year. That is absolutely untrue. The Nixon spending plan had an increase of 6.8%, and when the government changed in September 1990, halfway through the year, Bob Rae took over a spending plan of 6.8% increases and ran it up by the end of the year, six months later, to 14% and a \$3-billion deficit. Even with that \$3-billion deficit, they were still in an operating surplus position, something which they then turned into a huge deficit the next year of almost \$10 billion and a huge operating deficit of \$6 billion.

I want to remind the members that they inherited an AAA credit rating, which has been downgraded three times because of the fiscal policy and taxation policies and economic policies of the Bob Rae government. If you want to know the test of confidence, it is frequently the test of that credit rating, which is a test of business confidence in this province.

If you don't think the test of confidence is also reflected by consumers, when they see the province's credit rating downgraded three times in four years, what they say is that something is fundamentally wrong with the economic management of the province by Treasurer Laughren, Bob Rae and his team.

Bill 110 is just another example of the misguided policies of this government. The incompetence and the ineptitude have led to unprecedented loss of confidence, justifiably, by the people of the province of Ontario.

**The Acting Speaker:** Further debate?

**Mr Cousens:** The people in Ontario remembered the Liberals when it came to September 6, 1990, and it wasn't just one or two reasons why David Peterson and his government were removed from office; it was the

arrogance of that government. They were taking advantage of the province of Ontario. It was the 33 taxes. It was the downloading to the municipalities. So the people of Ontario on September 6, 1990, saw fit to change governments.

Democracy works in strange ways and I wish I had had more influence to get the people to vote for someone other than the New Democrats, but you win some and you lose some. Our party at least survived the election and we will survive to run another.

We're dealing with Bill 110, and Bill 110 is another one of those very thick little bills that seem innocuous: An Act to amend the Employer Health Tax Act and the Workers' Compensation Act.

You almost get used to taxes because we've had so many levied in the last several years by the combination of the Liberals and now the New Democrats. Here they are, they're raising taxes. We had 33 tax increases in the short five years of the Liberals being in power and then we've had 32 tax increases since Bob Rae and his group were elected. It's been a lot of taxation.

What it's done is to make Ontario one of the most heavily taxed jurisdictions in North America. It has made us uncompetitive and unattractive for outside investors to come and invest their money into this environment known as Ontario. It's made Ontario a place that has stumbled economically, not unlike other jurisdictions as well. During the last few years, we have seen a very painful time for pretty well all countries; eastern Europe has gone through it. I don't think anyone in the world has survived this tough economic time. But during the 1980s, when things were booming, at that time the government could have maybe been a little bit like Joseph when he went to Egypt. He was there, and the Egyptians, during their period, and he said, "There's going to be seven years of great feasting and there will be large harvest and following this there will be seven years of famine."

We didn't have seven years of great harvest, but there were at least five, and then we had five of devastation. During the time the Liberals were in power, we saw just exactly how rich we were because the spending was without much thought or consideration and it was a government that just—

**Mrs Caplan:** That's crap.

**Mr Cousens:** The honourable member for Oriole, is that the kind of legislative language you would want to use in the presence of microphones? I won't repeat that.

**Mr Perruzza:** Go easy on her, Don.

**Mr Cousens:** I wouldn't want to repeat that four-letter word.

**Mr Noel Duignan (Halton North):** Arrogance, Don, arrogance.

**Mr Cousens:** No, no. This is not a day for recriminations too much, but it's time to remind the Liberals that they—

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** You're going to be gentle today.

**Mr Cousens:** I don't want to be totally gentle either.



I think the Liberals have a very short memory and I wanted to ask the honourable former Minister of Health, was she around the table when the employee health tax was first discussed?

**Mr James J. Bradley (St Catharines):** We live in the future, not the past.

**Mr Cousens:** You sure as heck do, a party that brought in the employee health tax and which was supporting it back in 1989, it was part of Bob Nixon's biggest budget ever, and now comes along and says, "Well, you're making some amendments and changes to it and we just can't support it."

You can't use the word "hypocritical" in the Legislature and I wouldn't want to use it, but I can't think of a better word to describe that which has been said and done today. One can't use that language here, so I have to be very circumspect in what I'm saying.

The people in Ontario did not like the employee health tax then and they don't really like it now and the—

**Mr Bradley:** They didn't like the OHIP premiums you brought in.

**Mr Cousens:** You know something, Jim, you're right. They didn't like OHIP premiums, but now we're in a position where who pays for the health care of the province of Ontario?

A person, in this new bill: Bill 110 I think is doing more the right thing. It's at least making sure that the holes are filled where the Liberals didn't fill them back in 1989. The New Democrats are not so stupid after all. If there's any money left on the table and they can find it, they're going to get their graspy little hands on it. This bill is going to make sure they close all the doors and avenues for anyone not paying employee health tax.

I don't want you to forget, members of this Legislature, that the employee health tax is one of those taxes that was brought in by the Liberals during the time of David Peterson, and we just heard the member for Oriole, Elinor Caplan, berating the government for making some modifications to it. She should be kicking herself around the block for letting that get in in the first place in 1989. How she can come in here with this sense of high and mighty attitude that they're doing the right thing by opposing it today is beyond me.

I want you to know that I was going through some of my old files and—

**Mr Bradley:** If you are going to talk about the future, I'll stay, if you are.

**Mr Cousens:** No, I'm going to deal with the past for a while, Jim. I want to remind the people of what the Liberals are all about.

**Hon Ms Churley:** There are no Liberals in the House.

**Mr Cousens:** Just for the record, I know we're not supposed to comment on people present or absent in the House, and in that case I won't be specific, but there isn't one Liberal in the House today and that's probably because they know I'm going to have a few moments talking about them, because it's all part of the record and people have a way of forgetting that record.

1620

Having listened so intently to Elinor Caplan, the member for Oriole, I'm inclined to believe that she doesn't want to even try to remember what went on in 1989, because it was the decisions made by her and the David Peterson government that led to the downfall of that regime, and it was the kind of thing they did that raised such ire, such anger, such angst of people who were saying, "We want to lobby the government to come up with some fairer system of paying for our health care system."

I was looking at some of my old clippings, and I won't go into the file which is inches thick, but there was one, Richard Mackie of the Globe, who said it well:

"The Ontario Liberal government intends to ignore intense opposition and proceed with a controversial tax plan that would hit the province's businesses with what critics charge is a system of double taxation. The proposed new tax, the employer health levy, would be a payroll tax to replace premiums for the Ontario health insurance plan, 70% of which are already paid by employers."

**Mr Perruzza:** That was one of the better things they did. Don't attack that one, Don. Come on.

**Mr Cousens:** I'll just go on. Mr Mackie goes on to say:

"The officials in the treasury ministry say that the Liberal government has no plans to change the tax despite lobbying efforts directed at Treasurer Robert Nixon and Industry, Trade and Technology Minister Monte Kwinter."

Monte Kwinter happens to have won a few big battles in that government along the way, but this was one even he could not win. Today, to hear from the member for Oriole, it would appear that there are some members of the Liberal caucus who don't even want to remember those days.

The people of Ontario are not well served when we just continue to find more ways of taxation. As I touch on Bill 110 today, I want to go into something of the history of the bill. I'd like to review the bill itself and then I would like to deal with some of the comments of the Canadian Federation of Independent Business, which has done a tremendous amount of research on this particular tax and what it means. I would like to draw attention as well to the Fair Tax Commission that has a fair amount to say about employer taxes, and then I'd like to deal just with taxation in general.

First of all, we go back to what the Liberals brought in in their bill, Bill 76 I think is what the number was back then. The early days in 1990 are when you started having a new level of taxation and that was taxation of payrolls. It took effect January 1, 1990, and it was another increase at the same time as Mr Robert Nixon introduced other changes to the income tax law. It was a badly implemented bill. It was badly implemented in a number of ways.

If an employer is paying attention to our debate today, they'll remember that they paid tax twice because there are some employers—70% of OHIP payments previously



had always been paid by employers. When this new tax came in, it didn't have a way of having a smooth cutoff of those who were paying their OHIP fees. There were some employers who were paying double: They were paying the new tax and then for those who had paid in advance for their OHIP fees, they had to pay a second time. As it came in, the Liberals really at that time had little consideration about the smooth implementation of this tax.

This government across the floor—we're dealing with another bill and we've got plenty of evidence of how they were so hasty in bringing in the tax on other matters. I shouldn't divert to it, but there's the tax on the home brewery, and they're coming in with amendments on Bill 138 that will rectify some of the goofs they made last year. At least they've got the courage and the time to do it in this time frame to repair some of the damage they did, but the people in the Liberal caucus at the time the payroll tax for health came in listened to no one. They made no amendments to the bill. They were in lockstep together. The Liberal caucus and David Peterson and Robert Nixon all went in lockstep together over the cliff, as they went and took the whole province into collecting another \$2 billion in taxes—not another, but added to the taxes they had, and I'll go into how much more they got out of it.

The Liberals collected \$2.6 billion in this tax. The other thing is, this tax is not inflation-indexed, so the government profits from inflation. What it means is, it's just a percentage, so whenever the payrolls go up, automatically, because it's a percentage, it will just continue to increase. It isn't locked at any level right now. It just continues to grow and grow and grow. The rate is graduated from 0.98% to 1.95% of an employer's payroll, and the maximum is payable on payrolls of just \$400,000 or more. It goes into the whole new philosophy of a payroll tax.

I don't think the people of Ontario are well served when they don't have some way of recognizing their contribution towards health care. I don't know the perfect solution, but I know that to administer this tax requires a huge bureaucracy. You're talking about the time and preparation of another tax by all the employers who have to submit it, and then the users of the system have no real sense of who's really paying for it. It's as if health care is free. What a failure that is on our part, because there's nothing free. It comes from a combination of sources, but every one of us pays in one way or the other for every service provided by government. For those people who think that health care is free, they've got another think coming.

None the less, the employers started to carry the heaviest part of the load in this payroll tax that was brought in by Mr David Peterson and his government. A survey that was completed by the Ontario PC Party in 1990 found that 67% of the respondent employers of the private sector, universities and hospitals would hire fewer people as a result of this tax. Fewer people could get a job after this tax was brought in because of the high cost associated with it. A company or a university or an institution only has so much money that it can spend on

people and services. If the overhead goes up, then how do they compensate for it? They have to pay the employer health tax, so what they end up doing is removing a certain number of people along the way.

I'm satisfied that when this tax was brought in in the first place it was one of the disincentives for hiring people. Further, it was one of the reasons why people started to lose their jobs in 1990. The cost of running a business became so much more excessive that businesses had a more and more difficult time to justify all their actions because a certain percentage of that income was going into employer health tax.

I remember very, very well one of the major employers in my community, and the employer health tax was going to take his bottom line profits for his company for that year. It ended up that his bill for the employer health tax, with the number of employees he had, was over \$60,000. He made the point to me, "Don, that's the amount of money that I would have made in profit for my whole business at that time."

Now, people aren't aware that some of these companies were struggling as much as they were, but this, as another tax, cut into his personal income. It took money away that he could have invested into new opportunities, into hiring new people or into pouring it back into his business. When the money was taken away from his business and given to the province of Ontario, then it was that much less money that he had to build and prosper and to create a business that really had such great potential.

That's what we have to do: make sure that the employers of the world have a reason to continue to invest in Ontario, to invest in their business, to invest in jobs and, in so doing, to create opportunities for young people and others who can follow after them.

This is a classic case; I wish I could use the name of the company. It's a very prominent company, owned by one person. He has several hundred employees. His total take-home profit at the end of the year was taken away from him through the employer health tax. So when you come along and say, "Isn't that too bad? Maybe he's too rich as it is," no, he works hard. He's got a huge investment. He's getting the minimum out of it, and when you bring in a tax like this—and his prices are all fixed and structured; he's facing tough competition from everybody else—how then can he survive? All he can do is obey the law.

So when our survey that was taken back in 1990 found that 67% of employers in the private sector would hire fewer people as a result of this tax, that's a fact.

1630

Another survey found that 19,500 small businesses had to lay off workers in response to the new tax. Do you realize that 19,500 small businesses had to lay off workers in response to the new tax? What happens is that if you continue to levy taxes on business and you take that money away from them that they could otherwise spend on people, jobs, development, new machinery, new equipment, new something else, you take away the chance for jobs.



I say to the Liberal Party that when they brought in the employer health tax in the first place, they did it with very poor insight into the effect that it would have on the marketplace as a whole. The Ontario Restaurant Association, back in 1989, said that the payroll tax will eliminate jobs in the hospitality industry. It's the same situation, the same as my first instance of a larger company where their total amount of profit for the year was absconded by the government in its tax. The government's own experts warned that the payroll tax would impair job creation, and this is something that came out of the then Ministry of Industry, Trade and Technology in 1989, and that's one of the reasons that the former Minister of Industry, Trade and Technology, Monte Kwinter, was fighting hard to keep the government from introducing the employer health tax. I just wish that he'd won that battle, but he didn't.

Another survey conducted, when Manitoba introduced a similar payroll tax, found that 40% of small businesses in that province either laid off workers or reduced hiring as a result of that kind of employer health tax in that province. What it did in the case of Manitoba is it forced the government there to roll back the tax. Now we're going to see a rollback of one tax by the NDP in the province of Ontario although it's been devastating to the small breweries and wine-makers, a growing, good, small-business enterprise in the province of Ontario. Because the tax was so onerous and heavy, most of their businesses have suffered terribly because of the high tax per litre on—I was going to call it fuel—beer and on wine. So the government is now coming forward with recommendations to cut that back. It's too bad they can't be retroactive on that one, because they've already done the damage to those small merchants.

This tax, an employer health tax, is just seen as an innocent way for a government to skim the money off the top so the government's coffers are more full. At the same time, the employers who are providing an opportunity for business are the ones who are suffering.

We have a number around here in the Legislature that \$50,000 of taxes is enough to remove one job. What happened on this one is that we already had OHIP. A large part of OHIP was paid for by employers, maybe 70% of it, and the remainder was picked up by the employer health tax, so the difference is what we're really talking about when we change the system.

Employers can only take so much. If we begin to look at the impact on people who run businesses, of all the taxes that we have, you begin to understand just why people are resistant to start up companies, why people are moving their businesses outside of this jurisdiction and why people just are not investing in the province of Ontario.

We saw this as well in further surveys. There was a survey that showed 81.6% of exporters in Ontario said the payroll tax would make them less competitive in export markets, because what it meant was that in order to get the money back they had to raise the cost of their products and services in order to break even. There's nothing wrong with making a profit. In fact, it should be good. It's something we in the Legislature should be

encouraging. Wouldn't it be wonderful if people in the province of Ontario had some extra money in their jeans and then they could go out and they could spend it and then it would keep the economy going? The consumer confidence would be such that I think we could fuel a tremendous amount of growth and enterprise in the province of Ontario.

Likewise, for those who are investing here and doing business elsewhere, if they end up having a high cost of doing business in Ontario, then that cost has to be passed on to whomever it is they're doing business with.

There isn't any doubt that this employer health tax that was introduced by the Liberals back in 1989 had the biggest impact on small businesses. The small business coalition, led by the Ontario organization of small business, said, "Payroll tax would discourage small business from locating in Ontario." That was in the *Financial Post* on November 16, 1989. Again, the payroll tax hit smallest businesses the hardest. Most firms with fewer than 10 employees didn't pay OHIP premiums. Now, they say, all of them are having to pay a payroll tax.

You wonder, how many of the businesses in Ontario are small business? That's really the strength of this province.

I'm the honorary chair of the York Technology Association. This is a high-tech association that is in northeast Metro and south York region. We have maybe 110 members, but on our associate list we probably have 250 companies that are part of what York Technology is all about.

We did a survey on the size of the companies that make up the association, and to my surprise, there are only about 15 of the 110 companies that are large corporations of over 50 employees. The vast majority of those companies are under 50 employees, and I'd say over 50% of them are under 10 employees.

What we have is that entrepreneurial spirit where people are out there starting a business. When you look at the people over the last few years who have lost their jobs and in order to find a fresh opportunity are starting up their own businesses, they're suddenly finding that one of the painful things about doing business in Ontario is complying with all the government regulations and all the government guidelines. It's tremendously complicated, and there they are. It's just another cost of doing business.

So the small business sector was tremendously hard hit, because until the employee health tax that was brought in by the Liberals in 1989, they didn't have to pay the cost of OHIP. It was paid for by employees, and employees realized that that's part of the cost of just life—living—so individuals would pay their health tax themselves through OHIP.

Hospitals, universities, colleges and schools: When the province came through with its great change in employee health tax in 1989, public institutions also had to pay that tax. So schools, universities and hospitals ended up paying \$85 million more that year. It wasn't budgeted. Here was something that they suddenly had to pay out.

Again, people forget about the fact that everything that



happens through Queen's Park and the Legislative Assembly has a rippling effect that ripples through to many different sectors, and when you're looking at municipalities, universities, schools and hospitals—we call it MUSH, because it comes together rather nicely—all of them ended up having to contribute towards the employee health tax. Therefore they had to raise more taxes locally through their local tax base, and that too became an impact, a negative impact, on the one taxpayer back at the local municipality.

Is it any wonder there is an increasing tax revolt in the province of Ontario? Is it any wonder that you're seeing more and more growth in the underground economy? Anyone who's involved in the underground economy, who is totally illegitimate, isn't paying an employee health tax. It's hard to get all those l's right. They're not paying an employee health tax, because if they're making their money illicitly, illegally, underground, they're not paying it. It's only the legitimate companies that are paying it.

I just can see the impact that it's had. Certainly, what we have seen in the last few years was the philosophy that was part of the then Treasurer of the province of Ontario. Robert Nixon made it clear that, in his mind, the municipalities had more money to spend. Some of them had large reserves, but as far as he was concerned, they had more freedom and scope to increase their taxation levels, so let them pay more. And when he said that and he thought that, it was an impact on the small people of the province of Ontario, who own their own home, who own their own condo, who are living in an apartment, but they still some way or other end up having to pay more.

**Hon Gilles Pouliot (Minister of Transportation):** People like you.

**Mr Cousens:** People like me, poor little guy from Markham, who end up having to pay that extra in taxes because of the extra levy that's been laid out by the province of Ontario that municipalities had to pay.

In the magnanimity of Mr David Peterson and Bob Nixon back in 1989, there they are saying: "Health charges are all going to be free. Your employers are going to look after it for you." People forgot that the local taxpayer paying the bill was picking up the extra costs for health services, for OHIP itself, through their additional taxation levels. The burden that government under David Peterson put on local government is something we have never gotten away from.

1640

Unfortunately, once you bring in a tax like that, once you bring in those changes, you don't reverse them. That's the hypocrisy of politics. If someone comes up and says, "Oh, I'm going to start saving you money," don't believe us when we say that. All you can really hope is that a politician will say, "I'll freeze taxes; I'll hold the line; I'll try to find ways of doing it," because if we ever can save some money, what we've really got to do is plow it back into the deficit.

**Hon Mr Pouliot:** Should we believe Mike Harris?

**Mr Cousens:** You sure should. Should we believe Mike Harris? The answer is yes. Should we believe

someone else you might support? I'd say think twice. We can catch them on a few things. Mr Harris is an honourable man, and I'm pleased to be part of his party.

**Mr Wiseman:** We're all honourable people in this place.

**Mr Cousens:** We use that terminology in the Legislature. We're all honourable people, even the member for Durham West, I guess.

**The Acting Speaker:** Can you please address the Chair.

**Mr Wiseman:** Particularly the member for Durham West.

**Mr Cousens:** I was thinking particularly the member for Markham.

What we have to look at is deficit. When you talk about administration, a government that's in charge of things, in 1985, when the Conservatives said goodbye to Ontario—no, it was the other way around. People said: "Goodbye, Conservatives. You have had your turn, and we want someone else to run it." At that time, the total accumulated deficit for the province in 1985, in round numbers, was about \$30 billion. Is that right, Mr Tilson?

**Mr David Tilson (Dufferin-Peel):** Absolutely.

**Mr Cousens:** Our total deficit was \$30 billion.

**Mr Tilson:** On a point of order, Mr Speaker: The member for Markham is now getting into the real facts of why this province has collapsed, and more people should hear what he's about to say. I don't believe there's a quorum.

**The Acting Speaker:** Are you asking for a quorum?

**Mr Tilson:** I am indeed, sir.

**The Acting Speaker:** Do we have a quorum?

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** The honourable member for Markham may resume his participation in the debate.

**Mr Cousens:** I wish more Liberals would come in. I'm stuck with only the honourable member for Oriole.

**Mrs Caplan:** On a point of order, Mr Speaker: The member for Markham erroneously suggests that it's the responsibility of the Liberal caucus to maintain a quorum. It is not. The standing orders say it is the government's responsibility to maintain a quorum.

**The Acting Speaker:** That's a point of information, not a point of order. The member for Markham.

**Mr Cousens:** The member for Oriole is right, the government has a responsibility to keep its numbers here. But for my benefit and my enjoyment I wish there were more Liberals to suffer what I have to say. That's all I'm trying to say.

**Mr Wiseman:** How many Liberals are there here anyway?

**Mr Cousens:** There is one who represents the party very well. I don't want to get into that.



I was talking briefly about the deficit. When the Tories left government, for whatever reason, in 1985, the accumulated deficit—

**Hon David Christopherson (Solicitor General and Minister of Correctional Services):** They were thrown out.

**Mr Cousens:** So we were thrown out. We were sent out to pasture for a while, and we have been in pasture long enough, I can tell you. We want to come back.

The total accumulated deficit at that period was \$30 billion. There were a few other little expense accounts, but \$30 billion was the total.

**Mrs Caplan:** On a point of order, Mr Speaker: I pointed out to the member for Markham that there was also an operating deficit when the Tories left and they had just lost the AAA credit rating.

**The Acting Speaker:** That's not a point of order. You can correct your own record; you cannot correct another honourable member's record.

**Mr Cousens:** Don't be so interruptive. I didn't say a word when you were talking, although I was listening intently because I couldn't believe this was coming from your lips.

Anyway, I want to remind the member for Oriole and any Liberal or anyone else who's talked that the total accumulated deficit of the province of Ontario in one set of books—you've got the others, unemployment insurance and Hydro and a few others, but let's just take the big pot, the trough we call the province of Ontario. In that, the total accumulated debt was \$30 billion. I said it a minute ago, before the quorum call, and it is still \$30 billion.

During the period of 1985 to 1990, when David Peterson and Bob Nixon and my good friend the member for Oriole were in the Peterson government, the deficit for the province of Ontario went up 25%. It went from \$30 billion to \$40 billion.

**Mr Michael D. Harris (Nipissing):** A third.

**Mr Cousens:** Is that a third? It went up a third. The honourable member for Nipissing, my leader, Mr Harris, has just corrected me, and I will take correction from him any day.

In five years it went from \$30 billion total. More than 120 years it took Ontario, Upper Canada, to have that big a deficit, and then in five years the Liberals added a third, so it went up to \$40 billion. Now here's the best part of the story.

**Mr Tilson:** What is it now?

**Mr Cousens:** What is it now? Could it be up another 10% or something? No, it's gone up by \$10 billion a year since Bob Rae and the socialist NDP, the red party, came in. It's now going to be close to \$80 billion accumulated deficit in the province of Ontario. I'm saving this for the last part of my speech.

The fact is that it started largely during the period 1985 to 1990, when Ontario started to be mismanaged. The mismanagement—

**Mrs Caplan:** On a point of order, Mr Speaker: I would point out to the member for Markham that mem-

bers of this House are supposed to always give factual information. The fact that the Liberal government had a AAA credit rating suggests that it received a Good Housekeeping seal of approval. It was definitely not mismanagement.

**The Acting Speaker:** Order. The member for Markham has the floor. The member for Oriole will have the opportunity of responding, questioning, whatever, when he has finished his participation.

**Mr Cousens:** When you scratch someone like this, they start to squeal and squeak.

Just one other aspect: We're talking about the impact of the employer health tax, a tax that has hit others. Ontario universities—and this is part of our research that we did back in 1989—could provide free tuition to full-time students with the money they lose in the payroll tax, some \$23.6 million. "The University of Toronto said the payroll tax will lead to cuts in services, research and possibly staff." That was in the Sudbury Star on May 27, 1989. McMaster University said it would freeze hiring new faculty and turn away students, on June 2, 1989.

When you talk about the employer health tax, as it was brought in by the Liberals in 1989, there isn't any doubt they failed to test the whole issue correctly and well. It was all part of the mismanagement of that government. When the member for Oriole gets upset when I call it "gross mismanagement," I have to say, what else do you call it? They increased the deficit of the province, even with the huge increases in taxes, by a third of what it had been before. At the end of their term of office, they had a total accumulated deficit for the province of \$40 billion.

Now, with the New Democrats in power for four years, it's going to be \$80 billion. We've got to get control of it. We have to start watching it. All this deficit, all this debt, all it is is deferred taxes, taxes we're going to have to levy some day in the future on other generations, along with the interest costs, along with the administration of it all. We are not doing anyone a favour to be living beyond our means today. Future generations that are going to have to pay for it will not enjoy the luxury we have in spending beyond our means. We have to find ways of bringing it under control and do something about it.

1650

What happened is that when the Liberals brought in their employer health tax they didn't cover everybody.

Could you bring some order in here, Mr Speaker? Are you allowing all this chatter to carry on?

**The Acting Speaker:** I wish all members to know that interjections are out of order, and I would like the honourable member for Markham to address the Chair.

**Mr Cousens:** I'd like to, but it's difficult with all this noise going on in private conversations. I would like them to be listening.

Bill 110 now extends the employer health tax to self-employed people, partners in partnership, professionals, doctors, lawyers, engineers, commission salespeople, farmers and fishermen. Doesn't that sound odd? We are coming forward now with an amendment to a bill that was brought in by the then Liberal government in 1989,



which was bringing in a new form of taxation to collect money, some \$2.6 billion a year to pay for our health costs. It wouldn't begin to pay for it because health care is close to \$17 billion a year. But why is it that when Mr Nixon and the Liberals brought in this tax they didn't include self-employed people, partners in partnership, professional people, doctors, lawyers, engineers, commission salespeople, farmers? Why is it the government missed these people? Can you believe it?

If you're going to have a tax, is it not fair to have that tax paid by all who are income-generating people in the province? Why is it? I never got an answer to that question. I remember it being asked in the Legislature then, and we could go back to the Hansard of that day, in which we asked, why would Mr Nixon, the then Treasurer, or the Minister of Revenue, Mr Grandmaitre, not include some of the highest-earning people in our society to be paying this tax?

There's one of them sitting across from me, a doctor from Scarborough. You wouldn't have had to pay an employer health tax whereas now, if you were still in practice, you would be paying it. And you're the kind of person who would want to pay that tax because you're—

*Interjections.*

**The Acting Speaker:** Order. The member for Markham, please address the Chair.

**Mr Cousens:** I'm trying to get their attention.

**Mr Mahoney:** Bob, did you keep that practice open? I hope so.

**Mr Cousens:** You're going to need it.

**The Acting Speaker:** I remind all members that interjections are out of order. You will have the opportunity, when the member has completed his debate, to participate in questions and comments.

**Mr Cousens:** Did you say "if" I'm finished the debate or "when," Mr Speaker? I have a feeling that some people would like to see it sooner than later.

**Mr Mahoney:** Probably only those watching.

**Mr Cousens:** Well, I have one of my greatest fans watching.

**Mr Wiseman:** Your mother.

**Mr Cousens:** That's right, my mother.

There is no answer to this question. If we ask why the Liberals, when they brought in the employer health tax, could omit such large groups of people—professionals, partnerships, commission salespeople, farmers, fishermen—why they weren't included in the tax at the time, the tragedy is that there's no answer to it.

Is it any wonder that people say government isn't fair. Well, it isn't, and taxes aren't fair, and when you have a tax that comes in like this that is wrongly based, it adds a further grief to the whole process. There's a sense of relief when you know everybody is having to pay to the same piper.

When you have large single groups omitted, for whatever reason—I don't want to attribute any kind of political motivation to Mr Nixon for not including doctors and lawyers and engineers in that tax, because there are Conservative doctors and Conservative lawyers and

Conservative engineers. There might even be a few NDP who are in the professional classes.

**Mr Bradley:** You may want to announce this.

**Mr Cousens:** There is always this shock that comes in if in fact it's the case—it'll get me off the Liberals; that's what's going to happen—that the government has filed another closure motion with the Clerk's office, so that the government will force through the legislation on basement apartments as quickly as possible. This Legislature will once again lose the opportunity of debating something and having a proper and full and complete debate on it.

The fact is that when Mr Rae took power—he and his people, when they were in opposition, enjoyed the opportunity of speaking out on issues—they now, with all their power, are removing that opportunity from the opposition today. The opposition have fought vigorously and vehemently and powerfully to fight the legislation that is causing—it's not causing death, but because of the poor controls around basement apartments there have been a number of deaths that are very difficult to explain. Now the government almost legitimizes it and will force through this Legislature in another special debate the whole legislation around basement apartments.

I announce that for all who want to know. That will be coming in in the next few days and I thank the honourable member for St Catharines for sharing that with me.

As we look at the new employer health tax, what it's doing in part is addressing the holes in the legislation originally prepared by the Liberals back in 1989. It is estimated that this new tax will generate some \$35 million for the provincial coffers, that it will affect some 45,000 people. When I was speaking with members of the Ministry of Finance last week in our briefing, they indicated that today approximately 35,000 people have registered for the employer health tax. They do not know in the end how many more will be coming in.

The fact of the matter is that this again tells you just how poor our system is here in the province of Ontario, that in spite of all the computers and in spite of all the staff and in spite of all the organization that makes up Queen's Park, we're still not sure of too much around here. All we know is that we can lay out a tax and they'll be able to collect it.

They've collected \$35 million, and by the time it's finished there will probably be another—well, who knows for sure, if they don't know how many more have to register, how many extra millions of dollars will be brought into the economy?

It makes me ask the question, what about all the people anyone is supporting by buying either tobacco, booze, chickens, food products or other things in the underground market? No one's certain how large the underground market, which is thriving in Ontario, is, but every person who's involved in the underground economy isn't paying taxes, and the moment they're not paying taxes every one of the rest of us in the province of Ontario has to pay more taxes to pay their share.

If anyone is supporting the underground economy by buying products from people who are not paying their



taxes, all it does is increase the load on honest people, and honest people are buying from the underground economy. What we all have to do is begin to understand that every one of us loses when the underground economy thrives.

When the province increased the price of cigarettes to such an extent that it became really economical for people to live dangerously and import illegal product and sell it in Ontario, finally the government wakes up and says, "Well, we'd better lower the tax." Fine, but truly it's not just on tobacco products; it's on booze, it's on food products, it's on home repairs. Having sat on the finance and economics committee, I have some small understanding of how large the underground economy is. It's huge.

Everyone who participates in that underground economy by buying product without paying these taxes is contributing to the erosion of the health of the economy of the province of Ontario. Everyone who buys an illegal product from someone who is not registered and paying their sales tax is contributing to the downfall and erosion of Ontario's health. What we have ended up doing is making it very attractive for people to set up a business that's illegal and underground rather than aboveground and part of the total economic picture.

What we really have to do is begin to understand that we all have an important role to play to make Ontario the place it should be. Every one of us should do what we can to fight illegal activity. If someone is providing a service without paying all their taxes, then they too are participating in something that's very serious to Ontario's economy.

1700

I look at this whole bill and I realize that one of the things the government is going to do, and it does make some sense, is that—it's Big Brother, isn't it? Yet I'm willing to accept it because it does make sense.

The reason the bill says "An Act to amend the Employer Health Tax Act and the Workers' Compensation Act" is that it means the books in the workers' compensation section will be matched with the Ministry of Finance's books so that they'll be able to confirm whether or not there are people who are on those lists who are not on this list. They can do a match. Then those who have not been picked up by the Ministry of Finance will be isolated and singled out and they will receive a bill for their employer health tax. If we're going to have a province that's going to work, everyone has to participate in it.

I wondered how much it costs the government and so I asked this question the other day, and I thank staff for getting back to me on it. We know the costs the employer has to spend in just preparing the data and submitting it, but then there's the cost to the Ministry of Finance. They spend \$1.5 million on staffing, and there are 25 to 30 people employed by the government to administer the employer health tax. Direct operating expenses are about \$0.5 million, making the total cost around \$2 million a year. I just see that as one of those burdens we have.

We came along and we looked at the Fair Tax Com-

mission. This is one of the boondoggles that the government established so that it could look at the taxation policy of the province of Ontario. There is a section in this book—it's over 1,000 pages; it's 1,087 pages—and they talk about payroll taxation. What they've really faced up to is that payroll taxation is really with us.

They comment on the employer health tax as being controversial in many ways. The name of the tax is controversial. But one of the things they suggested is—to give the whole sentence:

"Although the employer health tax was introduced at the same time that the provincial government eliminated premiums in the Ontario health insurance plan and the name suggests some form of earmarking of revenue, the tax in fact has nothing to do with health care spending. In our discussion of earmarking in chapter 11, we recommended that taxes whose revenues are not earmarked for a specific purpose be given names that identify the base of the tax."

What they're saying here is that Ontario has never really taken a tax and assigned it to a particular fund or purpose. I referred to this in my speech last week where I was concerned that if we're going to have different kinds of taxes, I'd be glad to see some of them set aside for an environmental purpose, or when I buy my fishing licence, I'd like to see the cost of my fishing licence go into stocking more fish in the rivers and streams.

What they've really done in the new fair taxation report is an assessment of how this employer health tax has a lot of problems to it. It's like I said earlier: A government comes in; it doesn't get rid of a tax. The Liberals brought the tax in in 1989 and all the government is doing today is refining that tax.

This Fair Tax Commission comments that the employer health tax has an unusual graduated rate structure, with a bottom rate of 0.98% that applies to employers with total payrolls of up to \$200,000, and a regular rate of 1.95% applicable to employers with payrolls over \$400,000, and a graduated rate structure applicable to total payrolls between these two amounts. Is it any wonder that it's complicated for people to understand what it is they have to do to please this government?

They go on with a number of comments and criticisms of employer taxes. I notice this note: "The rate structure adopted in 1990" by the Liberals—I added "by the Liberals"—"was based on the desire to provide a preference for small business in the payroll tax, replacing existing OHIP premiums. The preference was instituted by setting the rate for the smallest businesses, those with payrolls under \$200,000, at half the rate for larger businesses."

What they're really saying is, "Okay, we're going to try to do a small favour for the small people." Somehow we've lost sight of the fact that everybody has to pay for the kind of health care system we've got.

But the one recommendation that came out of the Fair Tax Commission is number 46: "Ontario should eliminate the graduated rate structure for its existing payroll tax and replace it with a uniform rate of tax based on all remuneration."



At that point, there becomes some equity to it, but that's not good for the small business because they're going to pay more. Again, how does one win in this game of taxation?

Why is it, Madam Speaker—I don't expect you to answer, and if you did, I'd be pleased to hear the answer—that the federal government does not consider the paying of employer health tax as something that can be deducted for income tax purposes? We have to provide health care. It's mandated under legislation, but there is no relief for businesses in any way, except for some of the ways in which the tax is structured, that the federal government gives recognition through making the employer health tax deductible as another cost of doing business. Because it is a cost of doing business. You're not going to survive in business today unless you're fulfilling all the obligations government has laid upon you. So you do it—you have to do it—but there isn't even any bonus that comes back to you.

One other recommendation in this is, "Ontario should establish a new method of calculating remuneration for payroll tax purposes for owner-managers of corporations and self-employed individuals." They're saying, "Let's look at it," but this government has not begun to look at that.

The final recommendation of the Fair Tax Commission is, "Ontario should seek the agreement of the federal government to make payroll taxes fully deductible for corporate income tax purposes."

I'd like to know from the parliamentary assistant whether or not any efforts have been made with the federal government on particularly that item. Have there been any discussions at all between the Premier and the Prime Minister or our Minister of Health and the federal Minister of Health to see if there's any dialogue in progress that can again give some relief to businesses?

What we're talking about as well is the impact this employer health tax is going to have on small business. To that extent, I would like to refer to some of the research that's been done by the Canadian Federation of Independent Business.

What they've tried to do as an association is assess the impact of taxes as they're brought in and do their best to try to understand just what the total impact is going to be. I have some of the reports that have been put together by the CFIB, and Ted Mallett, who is their senior economist, in February 1994 did quite an extraordinary study on the growth of the payroll tax burden from 1988 to 1994. He developed an example based on a 25-employee manufacturer in Ontario. He has said, first of all:

"Payroll taxes have become a common method of source of government revenues during the past number of years. Governments wishing to avoid public anger when searching for revenues have relied on payroll taxes to put more of the burden on business operators.... The burden of payroll taxes tends to fall most heavily on labour-intensive businesses, or those operating at low or negative profit margins. Considering that small and developing companies tend to fit these descriptions, payroll taxes are acting as a brake on business development and job creation."

I think that's the point I made earlier when the Liberals brought in Bill 89 back in 19—oh, it was brought in in 1989. I forget the number, but it was a bill that, again, eroded what businesses are all about.

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I have here a graph on which the CFIB has shown the percentage of increase in these taxes from 1988 to 1994. You start seeing how significant the employer health tax is as a percentage increase. It's gone from zero to an increase of some 85%. Canada pension plan premiums have gone up since 1988, unemployment insurance premiums have gone up by over 60% since then, Workers' Compensation Board premiums are up by some 40% and wages have stayed at the level of maybe a 22% increase.

When you start looking at what this is, what Mr Mallett has said is that for a typical 25-employee manufacturing firm operating in Ontario these taxes will account for more than 12% of the total payroll in 1994, up from 9% in 1988. In 1988 of your total payroll you'd be paying 9% for these benefit costs that would be subtracted from your cost of doing business; now it's up to 12%.

**Mr Mahoney:** On a point of order, Madam Speaker: I believe there should be a quorum in the House to listen to this debate.

**The Acting Speaker (Ms Margaret H. Harrington):** There should be. Will the clerk please determine if a quorum is present.

**Acting Clerk Assistant (Mr Franco Carrozza):** Speaker, a quorum is not present.

*The Acting Speaker ordered the bells rung.*

**Acting Clerk Assistant:** A quorum is present, Speaker.

**The Acting Speaker:** The member for Markham may resume the floor.

**Mr Cousins:** Thank you very much, Madam Speaker.

I'm referring in part to the research that's been done by the Canadian Federation of Independent Business, a preparation by the senior economist. The point that has been raised in their presentation is that for a typical 25-employee manufacturing firm operating in Ontario these taxes now account for 12% of the total payroll in 1994, up from 9% in 1988. In a 25-member company that amounts to three employees. The cost of three employees is what it now takes to pay for the employer health tax.

That confirms one of the points that I made very much earlier when I was talking about the impact of the employer health tax on job creation, how I pointed out that businesses would be laying off employees because they could no longer afford to pay them, and therefore because of the employer health tax there would be a decrease in the number of people working in Ontario.

In the example that CFIB has brought in, it means that at this level total payroll taxes paid to the federal and provincial governments are equivalent to the wages of three full-time employees. That's the combination of all the different taxes that are in it. I'm concentrating primarily on the employer health tax. I will be touching briefly on some of the other taxes that are all part and parcel of what it is to do business in Ontario.



"Firms with payrolls above \$400,000, like the example used in this discussion, pay the maximum rate. The employer health tax replaced the premiums paid to the Ontario health insurance plan," and that then became the responsibility of the business.

The overall impact of this tax—and I want to just read this into the record as it's been prepared by CFIB:

"Overall, payroll taxes for our hypothetical Ontario small business jumped about 60% since 1988, about two and a half times the rate of increase in total wages paid. During this time period, taxes went from just over 9% of payroll to more than 12%. For a 25-employee business, the \$39,000 increase in annual payroll taxes was sufficient to pay the wages for an additional employee at well above the average wage."

Just that alone—we've had a lot of other increases, and I think I made a mistake earlier when I said that was the net impact of all the increases. But for the employer health tax, because of the increase it brought since 1988, for this 25-employee company it amounts to a \$39,000 increase in payroll a year.

"Combined with other profit-insensitive taxes such as municipal commercial property taxes, business fees and licence costs, revenue measures that governments are placing increasing reliance upon, Canadian businesses have lost a great deal of their ability to ride out hard economic times.

"As a direct implication, Canadian ventures face added business risk from the Canadian governments' own domestic policies."

I have to say that Mr Mallett makes excellent points in his paper.

**Hon Mr Pouliot:** Who is he, your broker?

**Mr Cousens:** No, he isn't my broker. It's the Canadian Federation of Independent Business. They've been doing a study on this ever since the Liberals brought in the tax in 1989 and I'm referring to their studies. They have a number of studies on taxation matters. The one I'm now looking at is January 31, 1994.

They're hitting business hard in so many ways. I have so many data on impact of employee taxes. I could go into it. I have to believe the Legislature has no desire to hear all these points, but what it amounts to, the issue I'm trying to make, is that there are so many different taxes. If you're in business today, it's hard enough to survive, with the competitive world we're in.

Free trade has opened up to make it far tougher. It opens up opportunity for people if they want to go outside our borders. Hopefully, the Canadian spirit will prevail and we will become world marketers, taking the intelligence and brains we've got to do business elsewhere. Who knows? Many businesses may decide to move to places other than Ontario where they don't have the high level of taxation we have here. I hope many will stay. I hope that when this government goes, we can begin to create the climate again for business to prosper and do well.

But all you have to look at is the number of different payroll taxes that small businesses have to pay. We have young people and others in the visitors' gallery today.

Understand it. When you go to work, your employer has a large additional cost that you don't even see, that goes into the cost of every employee they have in their business.

Unemployment insurance costs \$4.30 per \$100 of payroll, maximum of \$1,743.56 per employee. That's a federal tax. Another tax on payroll is the Canada pension plan. This works out to be \$2.60 per every \$100 of payroll, with a ceiling of \$806 per employee. For those two federal taxes alone, the cost they're going to have is close to \$2,500 a year per employee just for federal employee taxes.

Then you have the employer health tax in the province of Ontario, and it ranges from 0.08% up to 1.95%, with no ceiling. Regardless of how large you are, how many employees you've got, there's always going to be a heavy, heavy cost there for employee health costs.

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Workers' Compensation Board costs: Any company in business also has to pay workers' compensation. It's an insurance plan that helps the unemployed. What does that cost? Some 0.22% as a minimal levy you have to pay, but up to over 20%, depending on the kind of business you've got, with a maximum per employee of \$53,900.

All companies are paying unemployment insurance, Canada pension plan, employer health tax, workers' compensation tax, plus they all have to pay provincial sales tax on benefits, on their insurance programs. That's an additional 1%, and that's compliments of Bob Rae and his government. That was one of the onerous taxes they laid on business last year.

It was a \$2-billion increase in the budget that the government brought in last year, \$2 billion, double the worst thing the Liberals did. These people brought in a \$2-billion increase in taxes.

It ends up now that cumulatively the payroll taxes add on average 11% to 12% to the cost of each Ontario employer's payroll. Then on top of that, just pity the employers for all the other taxes they've got. It must be terrible to be putting a payroll together. First of all, you've got to have an accountant to handle all the accounting processes we were just talking about, and then you've got to collect the provincial sales tax, report it through to Oshawa for the province, and then you've got to collect the GST for the federal government.

At least one of the recommendations from the Fair Tax Commission is that you try to amalgamate or bring together all the different levels of taxation so there's some kind of rationalization of the way you gather the taxes in. As it is now, anyone who's running a business has all kinds of little boxes: bank accounts or funds or their poor general ledger—it's primarily geared to deal with government accounting. It doesn't do a thing to build business or add employees or make a stronger company. All it's doing is feeding the trough of the politicians at Queen's Park. What we're seeing is this heavy load of taxation on running a business.

People came to this country years ago as pioneers to open it up, to get away from government, to have the freedom to plant their crops, to fish the land, to trap and



hunt and to make this country grow. And what happened? Suddenly government came. You need government for law and order and you need government for education and you need government for health, but we don't need government for all the other trashy things we have around here. If we could begin to cut it back, hold it under control, live within our means, make it so it's not necessary to lay such heavy taxes on people.

**Hon Mr Pouliot:** Name the trashy things. You will have all the lobbyists in your office tomorrow.

**Mr Cousens:** In response to the honourable member, my dear, good friend the Minister of Transportation, I bet there isn't a company in Ontario that is complying fully with all the stupid laws we've got. I venture to say you could do a lottery and go and pick the company. Will it be in compliance with all the regulations, rules, licences it has to have: employment equity, pay equity, health and safety legislation? The labour legislation brought in by the Liberals and the socialists is enough to cramp anyone's style.

**Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations):** And the Tories.

**Mr Cousens:** Well, we brought in ours too, but we didn't bring in as many as you guys have in the last 10 years.

I'm saying a business person is handcuffed. You've got is all the different licences they have to have. I got the KWIC Index, and I was wondering, how many licences are there? That is one of the government monopolies, all the different licences you have. The list just goes on.

**Mr Perruzza:** Why shouldn't people snowmobile without a licence? Why shouldn't people ride a motorcycle without a licence?

**The Acting Speaker:** The member for Downsview, come to order.

**Mr Cousens:** I won't read them in, because you wouldn't understand, but there are just loads and loads.

**Mr Perruzza:** It's one of his colleagues that wants bicycle helmets legislated in this province.

**The Acting Speaker:** I ask the member for Downsview to come to order.

**Mr Cousens:** Well, I will read it. There's a licence for ambulance services; apple packers; apple processors; application for companies to cut timber; archaeological licences; boxers, kickboxers, boxing officials; bus-for-hire services; cartage, goods transport; application—I haven't read 10 of the different licences and there are pages of headings of what the licences are in the province of Ontario. Every licence is just another word for a tax. It's a way of gathering money.

As a province we have just gone to the rule of the absurd, and what we have is that the lunatics are now running the asylum. We have failed to understand what it is that can make government work effectively to serve people.

**Mr Perruzza:** On a point of order, Madam Speaker: I'm listening closely to what the member was saying.

It's my understanding that he's called every Ontarian a lunatic. I think that's absolutely unconscionable and he should stand up and apologize to every man, woman and child in the province of Ontario—

**The Acting Speaker:** That is not a point of order.

**Mr Perruzza:** —for calling them a lunatic because that's what he said, Madam Speaker. He should withdraw and apologize to everyone.

**The Acting Speaker:** Thank you. That is not a point of order. The member can continue his remarks.

**Mr Cousens:** If I said that everyone in Ontario was a lunatic—I would never, ever want to imply or state that. What I did say was that the lunatics are—

**Mr Perruzza:** You did say that. Apologize.

**Mr Cousens:** I would never say that. I didn't say that. You wanted to hear me say something stupid like that, but I am not that way inclined. What I'm saying is that the lunatics are running the asylum. You guys are the lunatics, and I'm saying the Ontario government has become the asylum. If the people have elected you, they elected lunatics. Make a point of order on that one, or can you prove that you're not?

My issue is that this place has gone crazy: crazy with taxes, crazy with government control, crazy with red tape, crazy with the government trying to run everything. Get government out of business and bring business into government. Have you ever heard of that? A very simple philosophy. Try to run government like a business rather than run business into the ground. That's what it's all about.

**Mr Perruzza:** On a point of order, Madam Speaker: I'm so glad that he gave a clarification. Is he now saying that all 950,000 government employees across the province of Ontario are lunatics?

**The Acting Speaker:** That is not a point of order. The member has the right to express his opinion.

**Mr Perruzza:** Is that what he's saying? Because if that's what he's saying, then he should apologize to every man, woman and child involved in the public sector—

**The Acting Speaker:** Would the member take his seat. The member for Markham may continue his remarks.

**Mr Cousens:** If people were listening carefully, they'll realize the member for Downsview is just trying to get on the record for Hansard today—

**The Acting Speaker:** Would the member address his remarks—

**Mr Cousens:** —to prove that he is here in the House, and I am glad you're here.

**The Acting Speaker:** The member for Markham, please address your remarks to the Chair.

**Mr Cousens:** Madam Speaker, I shall.

*Interjections.*

**Mr Wiseman:** He's been really good lately.

**Mr Cousens:** Who? He has been better. He's fine even at the worst of times.

If we were dealing with an issue where there was a sense that the money was being well spent, I think we'd



have a better feeling about what the government is doing. Has anyone stopped to consider how happy people are with the health care system in Ontario? I'm satisfied and I have a number of situations in which I've been involved with the health care system. I have to say that to a large extent I've been impressed by the care and the efforts made by the people who are on the front line: the surgeons, the nurses, the people who are delivering the service on behalf of the people of Ontario to those of our families, our relatives and ourselves who are sick. I think we know that health care is something that we really take for granted until something happens that we need professional assistance.

I'm intensely proud of the fact that in my own community I have two hospitals serving the people of Markham: York Central Hospital in Richmond Hill serves that segment in Thornhill, and Markham-Stouffville Hospital, which is a new hospital recently opened. I had the great pleasure when I was in cabinet back in 1985 in helping with the motion that Bette Stephenson helped me sponsor that got the Markham-Stouffville Hospital approved, and the Liberal government brought it through in spite of my earlier criticisms.

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**Mr Perruzza:** Listen, don't brag. You supported a lot of things—

**Mr Cousens:** And I will continue to support good things. What I want to do is fight for the right things and have a sense of balance and a sense of fairness in all these things.

Is the health care system in jeopardy? Do people have a sense of concern that the health care system is failing them? I feel that if the money we're collecting from this tax were being well spent, then I wouldn't receive the kind of letter I received from the Canadian Association of Medical Radiation Technologists.

This is a letter from one of my constituents:

"As I come from Britain where this course"—what they're talking about is that there was a course that was given to radiation therapists, and the government has decided that this course is now no longer going to be given the degree status that it was until now.

"In March 1992 the Ontario Ministry of Health announced its decision to discontinue the current radiation therapy education programs and replace them with a single centralized program under the direct control of the Ministry of Health. Some of these operate in collaboration with the University of Waterloo....

"The ministry's decision was made without prior consultation with either the professional bodies governing professional certification and practice...or the provincial cancer care agencies.... The decision also disregards recommendations contained in the reports of the cancer manpower committee and the radiation therapy technologists' education committee, both of which were established by the government to make recommendations on issues regarding the future of radiation therapy education programs in Ontario.

"On June 20, 1993, the chairmen of the boards of the OCTRF"—the Ontario Cancer Treatment and Research

Foundation"—and the OCI"—the Ontario Cancer Institute—"jointly wrote to the Ministry of Health indicating that in the opinion of both organizations education at the university level is required to prepare radiation therapists to care for patients who require radiation therapy. A fully documented proposal for a joint school of radiation therapy was forwarded to the ministry" in October 1993.

They've gone on to point out that this government is undermining educational standards for this particular professional level in cancer care and reducing it to something less than it is in other jurisdictions, in Britain and other places.

She's gone on in this report that was prepared by the technologists:

"The Ministry of Health has disregarded the recommendations of the CAMRT"—and that's the association, and the cancer research foundations—"that a university level of education is necessary....

"If the Ministry of Health transfers programs into a college environment it will not keep pace with international trends in the developed world. Education programs for radiation therapists are already" at the university level "in Australia, Great Britain and South Africa. Education of therapists at a lower level than that consistent with the needs of the profession may lead to suboptimum standards of treatment for cancer patients in Ontario.

"The ongoing forecasts of critical shortages of radiation oncologists and medical physicists will place increasing demands and responsibilities on future radiation therapists.

"The decision of the Ministry of Health to take control of and change the education program for radiation therapists in Ontario was taken without prior consultation with the profession, and does not follow recommendations made by stakeholder committees....

"Organizations responsible for the delivery of radiation therapy have received no details of the proposed new program content, cost or standards.

"Delivery of radiation therapy within Ontario is limited to facilities directly funded by the Ministry of Health.... Surely it is a conflict of interest for all radiation therapy education programs to also be controlled through a Ministry of Health education institution.

"Implementation of this proposal could lead to the loss of Ontario's best-qualified radiation therapy educators to positions elsewhere in Canada and the United States and there will be difficulties in the recruitment of replacements."

It's one of many proposals that I have on one particular component of the health care system. What I have is a constituent who says, "Any change to downgrade the qualification" of radiation therapists "will result in the reduction of radiation therapists in the future and will probably lead to yet another cancer crisis due to insufficient properly trained staff."

She says as well, "I feel that this government does not look ahead. I know that successive governments have helped to cause the last two crises" in cancer care "but why deliberately go ahead with an action that will cause another crisis?"



When we look at what's happening within the medical field, we have seen a reduction in the number of students going into the universities for medicine. What this means is that the government is saying, "We'll reduce the number of people going in to become doctors because we have too many doctors in Ontario." What happens then to all the hospitals that rely so much on those interns who are trained by the large hospitals, who carry such a heavy load in caring for the sick in the province of Ontario? To make one decision, that you're reducing the number of people going into medicine to reduce the number of doctors, at the same time what you're also doing is affecting a whole other area of service within the delivery of health care through the province of Ontario.

What we have to look at is that for every action there's an equal and opposite reaction. If the government feels, "We're going to change radiation therapists, then we're going to change the number of doctors, and then we're going to make another change," it's as if they don't have an understanding of the total, full picture of health care.

The other day in our caucus when we were discussing health care, I was impressed by the kinds of things said by the member for Simcoe West, Jim Wilson, our critic for Health. When we were talking about the costs of health care I was extremely impressed by what he had to say because I learned something.

The level of inflation for health care services, for medicine, for all the things that surround health care, is at one of the highest levels. Inflation for health care products and health care services is over 6%. You talk about inflation across the province at being now under 1% and a percentage of 1%. Health care continues to be a high-cost item that we in this province have taken for granted.

But we have to continue to protect and build so that we understand that if we're going to bring in the latest of technology, the latest in medicine, the latest in equipment, there's going to be a continuing investment to maintain that kind of quality. Therefore, what this government has to do is not treat health care in the same way it treats everything else. Make sure that we continue to have the highest quality of health care possible. I think there are many things that can come out of that. I'm not sure how we solve it all. There's no quick solution to it.

But we're dealing with a bill that is going to generate more cash for the government, at least \$35 million, and it might be up to \$60 million or \$70 million because of the changes to the employer health tax, but what we're seeing is the government getting more money in and it's just going to go in to the general treasury. It raises yet other questions.

When I start talking about the delivery of a service to Ontario residents, I want to break out the logic of this. On the one hand we collect taxes from the employers that are honest and have employees and that are legitimate Ontario enterprises. They pay for health care. On the other hand, in Ontario you don't have to be part of any health plan, you don't have to be part of any organization, you don't have to have a job, you can qualify for health care because you're a resident of Ontario, you're a citizen in Ontario.

**Hon Mr Pouliot:** Isn't that great?

**Mr Cousens:** The only danger of that is that if someone's getting something totally for nothing—the honourable Minister of Transportation asked the question, "Isn't it great?" I'm concerned about the people who are skipping all their taxes, who are working in the underground economy, who have no obligation beyond their survival to pay for employer health tax. They are not paying employer health tax. If a person's coming in and receiving health care, is there any check on whether or not they're working or in a position to be paying for the employer health tax?

**Mr Perruzza:** I say to you, the companies that make a whole lot of money that pay no tax, all right—

**The Acting Speaker:** Interjections are out of order. The member for Markham has the floor.

**Mr Perruzza:** Go after the real cheaters.

**Mr Cousens:** That's your philosophy. I just don't want any cheaters. If there are cheaters, let's make sure we make sure they pay the cost of what it is to do business in Ontario. We have not begun to correct the anomalies in the health care system.

The member for Downsview has been part of a government. You've known for three or four years—and the Liberals knew before that. You changed the health card to try to clean up the system and there are still one million more health cards in the province of Ontario than there are residents. Why is that? You explain that one to me.

The Provincial Auditor, when he looks at the cost of health care, is saying, "What can we do to prevent the number of people who are coming into Ontario collecting health care services free of charge and not paying anything for it?"

I question that whole process, and you as a government are to be found guilty of wasting the \$750 million that has gone into the abuse of the health care system by people who are ineligible taking advantage of the system; they are ineligible for it and yet they are collecting those services. We know of people who are coming across the border, they come into Canada and while they're here they are able to take advantage of our health care system. I have to say that it's a concern.

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**Mr Perruzza:** What are their names? Give us one name.

**Mr Cousens:** There are examples, and we've had those examples.

**Mr Perruzza:** Give us one name. Give us one example.

**Mr Cousens:** The example of the person in Peterborough who had a hysterectomy and then a week later the same card was used for someone to have a baby in Richmond Hill. How does that happen? Cards are circulating. What we're saying is that there has to be a way where you prevent the circulation of cards; so if you had some kind of photo ID—and this is another suggestion from our Health critic—some standard way of identifying people in the province of Ontario. I'm not sure what the



best system is going to be, but we already have the cameras at the licensing offices. Can't that whole thing be used to begin to develop a photo ID card for health care so that when someone goes in and they happen to have someone else's card, they can look at the card and identify them?

I want to continue to provide health care. I'd like to find ways of making it responsible. I'd like to find ways of getting rid of some of the abuses. I think that if you're saying you're only going after one level of abuse, I'm saying let's understand that if there is someone abusing something this wonderful in the province of Ontario, let's go after it, let's identify it, let's deal with it, let's correct it. Let's not just say, "Just get the rich people." Let's make sure everybody participates in making our system right. Anyone that is working within the underground economy, buying underground economy items from people, is contributing to the undermining of the province of Ontario. I believe that we all have a share to contribute and pay towards making Ontario strong.

Our taxes go into one big pot. The employer health tax is coming in with under \$3 billion of a \$17-billion bill for health care. A major cost of life in the province of Ontario, the biggest item, some 37% or 39% of the total cost of government, is health care. It's the single biggest item, and yet what we have is, all the funnel flows into one central coffer. What we have to do is from that consolidated revenue fund pay out this huge amount for health care. I want to see us get the best value we possibly can for our dollar.

As we look at again yet another tax, the government is finding a way of filling the holes that the Liberals left after 1989 when they brought in the employer health tax. This is another way in which the government is closing the loopholes. We've got to do it differently. I don't know when we'll come down to a better understanding of how to tax. We know we're going to tax. But if we could deal with more simple, straightforward ways to get the kind of money we need so that the people who run a business don't have to have full-time accountants, so that the people who are making money are paying for it, so that there is a sense in which there is some fair share, that everyone is participating in the cost of government, then we will have come a long way.

What the government has done with Bill 110 is purely filling a few cracks in the dike. They've made sure they've made some more revenue. It's part of the \$2-billion tax grab of taxes that were levied by the government in its budget of last year. We know that Bob Rae has taken more money in taxes out of the province of Ontario than any other government. We know that they have run the province's deficit up by some \$40 billion in the four years they've been in office. What we really have to do is make sure that there's full accountability for all dollars that are coming into the provincial coffers. We're satisfied that this is not happening.

So on behalf of the Ontario PC caucus, I want you to know, Madam Speaker, that we have major concerns over this bill. We have major concerns over the approach that it all started with, with the employer health tax itself. It was a wrong approach to pay for health care. The system

has not been corrected by this bill. It is good to the extent that it is making professional people—lawyers, doctors, engineers, salesmen, farmers, fishermen and others who were exempt previously from paying tax on health will now be paying it. I support that intent. However, to try to say you're paying for the health care system through an employer health tax which has had so many negative results in our province is something that was a concern to us back when it was introduced by Mr Nixon in 1989 and it is a concern to us even yet today.

**The Acting Speaker:** Now we have time for comments from all members of the House.

**Mr Perruzza:** To pick up very quickly on something the member said, he said something that was really interesting, that we have too much government. In fact, he raised two examples of where government really has no business.

He talked about pay equity and said government shouldn't involve itself in that kind of thing. If someone is out there working at a job and making less money for the same value of work as someone else—traditionally, if you're a woman and you're out there doing the same work as a man and you're making less money, what the member suggests is: "Let the status quo prevail. If there is an inequity there, don't involve yourself as a government in correcting that inequity." I say to you, Madam Speaker, and I trust you will agree with me, that is wrong, absolutely, irrevocably wrong.

The other example he raised was around employment, that if you happen to be different and you're traditionally excluded from being able to gain a job, that status quo should prevail. That was the other example the honourable member used. I say to you, Madam Speaker, and I trust you will agree with me, that is wrong.

I'm not even going to get into the other half. I hope I have another opportunity in another two-minute response to talk about free trade and the connotation that implies, where they want our marketplace to go and the two classes of people they want to create. I'm going to do that in a subsequent response.

**Mr David Johnson (Don Mills):** I'm delighted to rise again to thank and congratulate the member for Markham. The member for Markham has, over the past week or so, spoken on a couple of financial bills. He has the message that's appropriate for the province of Ontario at this point in time.

He gets a little exercised at times because he realizes that members such as the member for Downsview don't understand the message. In Ontario today, we have too many people who are unemployed, we have too many businesses that are going bankrupt, and we have an economy that isn't working to its maximum efficiency. To address these problems, we certainly don't want to put taxes up. We need to cut taxes, we need to cut red tape. This is what's needed for Ontario at this point in time. The member for Markham has been pointing this out to the government in a number of debates over several bills.

This bill imposes an employer health tax on self-employed individuals. It's interesting that it also puts in measures to try to get more taxes from people by address-



sing tax avoidance. It also increases filing requirements for annual tax returns by self-employed individuals. More taxes, more red tape.

The member for Markham knows this will not work. This will not put people back to work, this will not create more jobs. I was just so pleased today to see a little glimmer of hope in that this government finally recognized, for example, that in the you-brew industry the taxes it imposed, which I spoke to last week and which the member for Markham spoke to last week—we were correct. The government now recognizes that taxes killed that industry. Here's another tax on those who are self-employed. It will have the same impact. I hope the members in the House listen to the member for Markham.

1750

**Mr Robert Frankford (Scarborough East):** I would, for a start, like to be clear that the third party acknowledges that the tax-based health system is actually a competitive advantage to this province. In Canada we spend 9.5% of our GDP on health, which is a significant benefit, and because it's universal and tax-based this is considerably less than the 14% it costs in the US, which in fact is the major cause of employer strife and strikes.

One other point I would like to comment on is the question of availability to residents. I have been getting calls about the fact that temporary residents are no longer covered. While I very much support the fact that we have a tax-based system, and I commend the previous Liberal government for at least moving to that, in the process we left out the possibility of paying a premium directly.

I have been getting calls and I've had conversations with people in the educational sector, in faculty associations—and I'm thinking of the Canadian Union of Educational Workers, who are asking for the possibility of a direct premium. This, unfortunately, was the downside. I have not heard this point mentioned by the previous speaker, who doesn't realize that this is a possibility of raising significant non-tax revenue. I was told by Mikael Swayze of the CUEW, if I recall correctly, that something like \$8 million could be raised in direct premiums, which would not be a tax. I think this is something we should be considering as well as a tax-based system. Any other non-tax revenue would benefit us all.

**Mr Mahoney:** I was actually on the docket to be the next speaker, but since we're running out of time this evening I'll just—

*Interjection.*

**Mr Mahoney:** And there's no one here who cares other than the member for—where are you from anyway?

The member for Markham made a number of comments somewhat derogatory about the former Liberal government and very derogatory about the current government. Of course I would agree with many of his comments about the current government.

I remember being on city council when the member's party was the government of the day. I remember many budgets coming down in which they would laud and tell everybody how wonderful they were at not giving a tax increase. Then, at the same time they would announce a

0% tax increase, they would also announce a 5%, 6%, 7%, 8% reduction in transfer payments—the member will remember that, I'm sure—to the municipalities.

This member is heading off, we understand, in the not-too-distant future, to take up a new post in life as the mayor of Markham. There is a rumour to that effect. When we all refer to him fondly as your worship, I can just hear the member, regardless of who the government is, complaining about the transfer payment cuts. In essence, when you cut transfer payments from this level of government to the municipalities and the school boards, they have very little option but to increase taxes.

We shouldn't create some kind of a façade that suggests that only one particular party or government has increased taxes. The fact is, the Tories were the mother of all taxing governments in this province for years and years and years, and that member knows it only too well.

**The Acting Speaker:** The member for Markham now has two minutes to respond.

**Mr Cousens:** It was so painful to listen to at least three of those speakers. I wish you'd given the member for Don Mills the time for all of them combined, because he spoke with such wisdom—

**Mr Mahoney:** A former mayor. He might get his job back after the next election.

**Mr Cousens:** —something I'm not used to from the member for Mississauga West.

Anyway, I thank the member for Don Mills for his kind remarks and for reinforcing the key points that we need to do what we can to cut red tape and that indeed this employer health tax does not create jobs.

That's something the Liberals still don't understand. You didn't raise that at all in your points, creating new jobs, except maybe if someone changes jobs. You're trying to suggest that I change jobs myself, but that's a decision I have yet to make and will announce in due time should I decide to do that.

I always appreciate listening to the member for Scarborough East who brings his own professional background as a doctor to this subject, and where there is the Canadian system versus the US system, I don't want to go to the US system at all and I would very much worry about that. Somehow or other we've got to keep things in balance. I think it's the hardest, most delicate thing to do.

We saw some very good decisions by Frances Lankin when she was Minister of Health in trying to bring costs under control, but we've got to make sure that the service is also there, and to make sure that we remember that in everything we do as politicians, we're there to serve the people and we're there to provide the kind of health care and whatever service it is. The Minister of Transportation has his job; we all have a job to do.

My job as an MPP is to highlight major concerns about the different bills that we have before us. Indeed, I think the member for Downsview fails to understand that opposition has an important job, to compliment the government if it does something right, but also to chastise and criticize if it's wrong. The fact is that there are still serious problems with what you're doing and you have to get control of that. There may still be time.



**The Acting Speaker:** Thank you, and I thank all the members for their contribution to this debate. Further debate?

**Mr Mahoney:** I believe we have an understanding that since there are only approximately three minutes left until 6 of the clock, I will move adjournment of the debate and then the members opposite will get the benefit of hearing my entire 30-minute speech, unabridged and

uninterrupted, when next we visit this issue. I would so move, Madam Speaker.

**The Acting Speaker:** Agreed? Agreed. The acting government House leader.

**Hon Mr Pouliot:** I move adjournment of the House.

**The Acting Speaker:** Is it agreed? Agreed. This House therefore stands adjourned until tomorrow at 1:30.

The House adjourned at 1757.



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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 19 April 1994

# Journal des débats (Hansard)

Mardi 19 avril 1994



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Honourable David Warner

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 19 April 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 19 avril 1994

The House met at 1331.

Prayers.

## MEMBERS' STATEMENTS

### LONG-TERM CARE

**Mr Frank Miclash (Kenora):** I was pleased to read in the April 13 edition of the Dryden Local Express that the Minister of Natural Resources has assured the residents of Dryden that they "should be optimistic about provincial funding for the local hospital project and the extended care home." The minister went on even further by saying, "The Minister of Health should be about to make an announcement soon."

The Dryden District General Hospital board and I have been pressing the Minister of Health to move ahead with the approval process for the next stage of planning in order to upgrade the hospital facilities and for the new long-term care building the residents of the Dryden area have been waiting for for so long. We are naturally very pleased and excited about the Minister of Natural Resources' comments and we await the government's funding announcement soon after the budget.

I would also like to take this opportunity to compliment the residents of Dryden and the Dryden area, the Dryden hospital board, the Dryden Extended Care Organization and the administration of both the hospital and Patricia Gardens Minimal Care Home, along with my municipal colleagues, for the work that has gone into these two projects. Many hours have been spent by all concerned in preparing for the projects, and I look forward to a very positive announcement that will be made by this Minister of Health in the upcoming weeks.

### TRANSFER PAYMENTS TO MUNICIPALITIES

**Mr Allan K. McLean (Simcoe East):** My statement is directed to the Minister of Finance, and it concerns a threatened reduction to municipal road grants and base road funding. This 20% cut will mean a reduction of about \$145 million from last year's road grants of \$724 million. This represents a \$73-million reduction in construction dollars and will result in at least 1,100 fewer jobs.

Municipalities normally match the \$73-million provincial funds with local funds. If hard-pressed municipalities decide not to spend those matching funds, the negative employment impact will most certainly double. Road grants have traditionally been announced in January, but this year's allocation will not be disclosed until late April or early May.

For the second time in as many years, this government will announce major transfer cuts to municipalities after they have already set their budgets and their taxation levels. You are requiring municipalities to commit new money for projects under the Canada-Ontario infrastruc-

ture program. I suspect you are merely transferring funds from road grants to meet your commitment under that program.

Minister, on March 23, you affirmed your government's transfer payment commitments and you said you wanted to avoid "downloading our fiscal problems on to our transfer partners, as the federal government has so unfairly done to us. That carries too high a price in lost jobs and cuts to services."

Can the situation have changed that much in three weeks?

### ORGAN DONORS

**Mrs Karen Haslam (Perth):** In many communities across Ontario, there are people whose lives depend on the kindness and understanding of strangers. These are the people who are waiting for a desperately needed organ or tissue transplant. Their only hope for a new life is agreement by a family to organ donation.

This is Organ Donor Awareness Week. In Ontario alone, there are close to 1,000 people waiting for an organ transplant and some will die because there is a critical shortage of donated organs. There are many reasons for this shortage, ranging from a decrease in brain deaths in Ontario to misunderstanding about the organ donation process.

In Ontario, about 100 out of every million people need a transplant but only about 20 out of every million people will ever be a potential donor. Last year in Ontario, there were 568 transplants, an increase over 1992, but there is still a critical shortage of donated organs in Ontario and people will die because of this.

Transplants not only save lives but can reduce health care costs. People waiting for a kidney can be treated by dialysis at a cost of anywhere from \$40,000 to \$75,000 for every year that patient is on dialysis. A kidney transplant costs about \$40,000 and the costs for the years after that for anti-rejection drugs average \$3,000 a year. A study has estimated that if organ donation could increase by only 10%, the health care system would save more than \$12 million.

Ontario residents can show their support of organ donation by discussing it with family members and signing a donor card. When you sign a donor card, you sign for life.

### RACE RELATIONS

**Mr Gerry Phillips (Scarborough-Agincourt):** I want to add my thoughts to the debate that's raging as a result of what's now called the Just Desserts incident. It has touched a nerve and, in our anger, all of us have to respond. We do run the risk of making things worse rather than better. My plea for all of us is to be sensitive.

Some thoughts: This isn't a crime committed by "the

black community." The black community is no different than any other community. They are law-abiding, caring, compassionate, hardworking. It was a crime that was committed by four young criminals, apparently black, but to brand the entire black community obviously is clearly wrong.

My second thought is, this is really a time more than ever before when we need to reach out to our young people, not reject them. It is a fact, and I think an indisputable fact, that in the last few weeks our young black community has probably never felt as rejected as it has in the past few days. This is a time for us all to reach out to our young people, particularly, I must say, to our young black community, and ensure that they don't in any way feel neglected. I think all of us can do that in our own way every single day.

My last point is to urge caution in publicly reporting crime by race. The question is, what do we plan to do with that? If we are simply going to use it as a tool to somehow or other paint an entire community because of the actions of perhaps one out of 1,000 of that community, that's counterproductive.

So if we all want to do something, I'm just urging that we cautiously move forward as we try and deal with this very sensitive issue.

#### NIAGARA ESCARPMENT COMMISSION

**Mr Bill Murdoch (Grey-Owen Sound):** I stood before you a week ago to discuss the inflexibility and anti-development practices of the Niagara Escarpment Commission in my riding. It is certainly no secret how I feel about the commission and its uselessness. In keeping with this, I would like to relate yet another example of why this undemocratic body should be disbanded.

In November 1990 John Deboer, a resident of Sydenham township, applied for a development permit to establish the use of a stair manufacturing operation in an existing building on Niagara Escarpment land. The permit was issued.

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Over the next few years business more than tripled, warranting a move to a larger location. In October 1992 Mr Deboer moved his business into a building located only 350 feet from its original location. Since it was the exact same commercial operation taking place in the same rural area of the escarpment, Mr Deboer reasoned that it should continue to be regarded as an existing use as previously determined by the Niagara Escarpment Commission.

Mr Deboer was mistaken. A second development permit was rejected by the NEC despite its former approval. Even after receiving development approval from the Ministry of Transportation, the Bruce-Grey health unit and the township, the commission continued to deny Deboer's application and appeal on the ground that the proposed use did not comply with the permitted uses in the Niagara Escarpment plan.

I can only share in Deboer's extreme dissatisfaction with the treatment he received from the commission. How can a body of supposedly educated and logical individuals issue a permit for a specific use and then turn around

and deny a permit for the exact same development less than 350 feet away? It is unanswerable questions such as this one that plague Grey county and will continue to do so until this undemocratic body is abolished.

#### WINE INDUSTRY

**Ms Christel Haeck (St Catharines-Brock):** It is with a great deal of pride I'm pleased to report that Ontario wines are once again making headlines around the world. This time it's their gold medal showing in the international wine competition in Verona, Italy, last week, where Niagara's Cave Spring Cellars 1991 Chardonnay Reserve and Stonechurch's 1991 Icewine took grand gold, the highest honour possible.

Gold medals also went to Inniskillin winery of Niagara-on-the-Lake for its 1992 Icewine. Chateau des Charmes, also of Niagara-on-the-Lake, was awarded a silver medal for its 1992 Paul Bosc Estate Chardonnay. Meanwhile, St Catharines' own Henry of Pelham winery won a bronze for its 1991 Chardonnay Barrel Fermented, as did Pelee Island's 1991 Pinot Noir.

Competing against 900 wines from 16 different countries, Ontario wines took three of the top four spots in the Chardonnay category, winning grand gold, silver and bronze medals. Our icewines took two of the top four spots, grand gold and gold in the sweet wine category.

In addition to six medals, Ontario wines received 10 honourable mentions. Ontario placed second in overall medal totals, with Italy placing first.

Our vintners have once again shown the world that we make some of the finest quality wines anywhere in the world. As someone who supports wine—and I hope everyone in this House does—coming from Ontario, I hope we will all lift a glass to congratulate each and every vintner in Ontario for their good work.

#### FERRY SERVICE FEES

**Mr Hans Daigeler (Nepean):** I have just become aware of yet another blatant example of Tory double-speak that I would like to share with this House.

On December 16 Mike Harris wrote to the organizers of the anti-ferry-fee coalition in eastern Ontario. Here's what he said:

"Thank you for faxing me a copy of your November 26th letter to Premier Rae expressing your outrage with the NDP government's plans to impose tolls on transportation.

"My caucus and I have continually urged the Premier and the Treasurer to neither increase existing nor introduce any new taxes, which is exactly what such a toll would be."

Yet, Mr Speaker, guess what I read in a recent edition of the Kingston Whig Standard. Again I quote:

"A two- or three-tiered system for ferry fees at Wolfe Island and Glenora is a possibility under a Tory government, says Mike Harris."

That's a quote. These comments were made at a Conservative fund-raiser at the Ambassador Hotel in Kingston. I find it amazing that the Conservative leader can change his tune so dramatically within a short few months.



This issue is of great importance to the people in Kingston, Picton and surrounding areas. For sure, they will remember at election time the obvious Tory inconsistency and they won't be much impressed with a party leader who changes his position every month.

#### COLLINGWOOD GENERAL AND MARINE HOSPITAL

**Mr Jim Wilson (Simcoe West):** I rise again in this Legislature to urge the government to give final approval for the redevelopment of the Collingwood General and Marine Hospital.

In the last month approximately 8,250 Collingwood area residents have signed petitions that support my call for a redeveloped hospital in Collingwood. These citizens are both frustrated and concerned that the promised redevelopment has been studied to death and stalled for the past seven years. These citizens have had their faith in their hospital shaken because government funding cutbacks have forced the General and Marine Hospital to close beds and reduce staff.

They have also had their trust in government damaged by unkept promises made by successive Liberal and NDP governments. Since 1987 five Liberal and NDP Health ministers have announced and reannounced their intentions to approve the redevelopment of Collingwood hospital. To date, no sod has been turned and over \$4 million in donations and pledges made by residents to help finance the redevelopment project sit idle in a local bank.

It is vital that the redevelopment of the Collingwood hospital be approved immediately. This green light will create construction jobs that are badly needed in the area. It may also restore the trust that has been lost between governments that have made promises and not kept them, promises that were made to the people of Ontario. They're sick and tired of politicians saying one thing and not taking action on what they've said.

#### WORKERS' COMPENSATION

**Mr George Mammoliti (Yorkview):** I rise today to introduce a victim, a victim who is also a constituent and a victim of the workers' compensation system.

Mr Claudio Aiello, who is a constituent of mine, got hurt a number of years ago at General Electric. He hurt his hand, his shoulder and his back. He was productive, he was working a few years ago, he was ready to get married, he had a fiancée, the plans for the marriage were almost there ready to go, and then he got hurt. That's when his nightmare started.

It started when he made his initial phone calls to the adjudicator of the Workers' Compensation Board. That same adjudicator, a few years later, still giving him runarounds, still doesn't necessarily understand what he's going through as a human being.

The decision review board hasn't helped either in terms of responding to his letters dealing with his concerns, and of course trying to understand Mr Aiello's concerns. It's very difficult for me as a member to stand up here and not be compassionate when he talks about the decision review board and the lack of understanding they have shown as well over the last few years. The office of the worker adviser hasn't helped him at all.

I would ask this House, and of course the Premier, when the reforms come about, to look at these particular problems and help people, the future Aiellos.

#### VISITEURS

**Le Vice-Président (Gilles E. Morin) :** J'aimerais inviter tous les députés de l'Assemblée législative à souhaiter la bienvenue dans la Chambre à nos invités des parlements de la république du Bénin, du Québec, de la Suisse, de la France, du val d'Aoste, du Canada et de la Belgique qui sont assis dans la tribune du Président.

L'Assemblée législative de l'Ontario accueille la Commission de l'éducation, de la communication et des affaires culturelles de l'Assemblée internationale des parlementaires de langue française. Je vous prie donc de vous joindre à moi et de souhaiter la bienvenue à nos distingués invités.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### BUDGET

**Hon Floyd Laughtren (Minister of Finance):** I would like to advise the House that I intend to present the 1994 budget for Ontario to the Legislature and to my colleagues on Thursday, May 5, at 4 pm.

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm looking forward to the budget on May 5. I guess I'd start by saying that last year when the minister and the Premier presented their budget, you may recall that jobs were the number one priority in that budget—

**Interjection:** Still are.

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**Mr Phillips:** The fact is, you haven't delivered. The member across said, "Still are."

What we now see—this is now heading into the fifth year of the Rae government—

**Hon Mr Laughtren:** Talk about your numbers.

**Mr Phillips:** —is a record number of people out of work in the province. The Premier promised that things on the job front were going to get better. As this budget ended, the final three months of this budget, we saw 4,000 fewer people working in the province of Ontario than the year before. The Minister of Finance may shake his head, but those are the facts.

As we look in the rest of Canada, what's happening in the rest of Canada: 150,000 more people are working in the rest of Canada and 4,000 fewer people are working in the province of Ontario. That was the number one priority in the budget, and it's not working.

Among our young people there is a tragic level of unemployment. The reported number is approximately 20%, one out of five. The real number, when you look at the number that have simply dropped out—they're not enrolled in colleges or universities—is one out of three. So last year, as we looked at this budget, the number one priority was jobs and it has not worked.

I will say that on Friday my leader issued a report called Getting Ontario Working Again. I would hope that we would see, as this budget is prepared and presented, many of the ideas that are presented in this report that will get people working again.

The second thing that the budget promised was to get their fiscal house in order. I went back over the last three budgets. In the first Rae budget, taxes went up \$1 billion. In the second budget, taxes went up \$1 billion. Last year's budget, taxes went up \$2 billion. Taxes have gone up dramatically.

**Hon Mr Laughren:** Are you talking about the Liberals?

**Mr Phillips:** What's actually happened is tax revenues have actually dropped, and so getting your fiscal house in order, Mr Premier, has not worked. You have taken taxes up dramatically and tax revenues have dropped. Something is fundamentally wrong in our economy.

The Premier's second key objective in last year's budget—first was to get jobs created in the province; it's not working—was to get our fiscal house in order. The more you've taken taxes up, the more tax revenues have dropped. If you go back three years, tax revenues have actually, as the Premier knows, dropped by \$2 billion while you've taken taxes up by \$4 billion. That is not working.

The third thing I wanted to say—

**Mr Donald Abel (Wentworth North):** Explain that.

**Mr Phillips:** "Explain that," you said? Yes, you should understand this. What you're doing is, you're taking the tax rates up and you're driving people out of the economy. If you don't understand that, you aren't listening to us.

The third thing I would say is that as we look at the budget, and I realize that for many this may not be a central issue, we will be looking at things like, is it your plan—this year, the year that just ended, the government theoretically sold \$400 million worth of GO trains. I gather that in the budget that's coming up they may very well "sell" our ferries, "sell" our planes, "sell" our heavy equipment and then lease them back.

They are taking a holiday from making payments against our pension funds. The unfunded liability in our pension funds is roughly \$10 billion. It is growing at the rate of approximately \$800 million a year, but we're making no payments against that.

I will say to the Minister of Finance, we will look at the budget on the basis of: When are we going to start seeing jobs created, and how will this budget help that? When are we going to get our fiscal house in order? The third thing we will want to look at is the numbers. Have we listened to our Provincial Auditor, and will the budget that is presented in fact, as he wants, reflect in an accurate way the finances of this province?

**Mr Gary Carr (Oakville South):** I think everyone is anxious to see how this government is going to create jobs. In our pre-budget finance report we gave you about 19 recommendations, Minister of Finance, everything from taxation to what to do with the employer health payroll tax to what to do with workers' compensation to what to do with social assistance to what to do with regulations. We have given this government almost two and a half pages of recommendations of what needs to be done in this budget.

It starts very clearly that there cannot be any taxation increases in the province of Ontario. The difference between us and the Liberals is that we've been arguing that since the late 1980s, when we told you, "You can't continue to tax, spend and borrow like there was no tomorrow." Now tomorrow is here.

The last budget gave us the biggest tax grab in the history of this province, even bigger than the taxing of the Peterson government, which was at record levels. We had another \$10-billion deficit in the last budget. We had another credit rating; it's been our third downgrading of credit ratings in three years. Over this year, we had the refusal of the Provincial Auditor to endorse the books, and we've had the start of a tax revolt with the underground economy, because people are saying that you don't spend their money wisely and they will do anything to avoid it.

The annual forecasts were off again. We were supposed to be getting the deficit down. We have not. We call it the deficit du jour. Each week that goes by there have to be other cuts. There is no long-term game plan.

In order to be credible, we laid out very clearly in our pre-budget report what we would like to see done in the province of Ontario. Two years ago, I sat on those hearings and we again gave recommendations to the Minister of Finance. He didn't listen on the issues of taxation, and had he listened, we would not have had to go through some of the measures we had, such as the social contract this year, because we warned you three years ago that you had to control government spending and that the only way we're going to create jobs is to allow the private sector to be successful. Instead, you did nothing but tax the living daylights out of every person and every business in the province of Ontario.

We gave our recommendations to this Minister of Finance. We hope on May 5 of this year you're finally going to start to listen to some of the ideas we've put forward for literally three and a half years.

**Mr Chris Stockwell (Etobicoke West):** Clearly, the Treasurer has gone about teasing the bears with this controversial statement here today, two pages to tell us the budget is on Thursday, May 5, 1994. It will be the fourth budget offered up by this socialist government in the province of Ontario. On May 6, the people in the province of Ontario will be breathing a collective sigh of relief, because more than likely, thank God, it will be the last budget offered up by the socialists in the province of Ontario.

I will also add, it is very true, the Liberal critic for Finance does mention the fact that by raising taxes they're generating less revenue. We know on this side of the House you could never accuse that Liberal government of that. When they raised taxes, they got a lot more money every time they increased those taxes. So if they want to give lessons, there's a crew over there who will listen very intently, because they got the raise in taxes part right; they just didn't get the getting more money part right, and that was the difference.

I will look forward to this next budget, because the Treasurer has promised, for the first time in a budget he has brought down, no tax increases. To the beleaguered



taxpayers in this province, that is the first and most important thing that any Treasurer in this province representing any party could offer up to those taxpayers.

Never was it made more clear than yesterday, when this Treasurer went out and reduced the taxes on the brew-your-own breweries. That was reduced, and we know why it was reduced: because the speculation was that it would generate some \$5 million in extra taxes and in fact it's come in pathetically below the \$5 million, thereby proving the point we've been trying to explain to the socialists since September 6, 1990.

They're at the tax wall. Just because you raise the taxes just means you drive more businesses and more honest citizens underground, and that's not where they want to be in this province. They want to be paying their fair share, but you've pushed them to the wall, Mr Treasurer, and you've pushed them directly to the wall with your previous three budgets.

Lastly, in this upcoming budget, I would like the Treasurer to know that job creation is an important cog within this caucus and within this party and this province, but you must be cognizant of government spending, and this budget will be very interesting in how you delicately balance what you've claimed you are going to do for the people.

1400

#### ORAL QUESTIONS TAXATION

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is for the Minister of Finance. As our treasury critic has indicated, on Friday we released a report called Getting Ontario Working Again, and it is the report of our task force on jobs. In this report we set out a comprehensive framework for getting people back to work again.

The minister has challenged our Finance critic to talk about our numbers, and I do so with pride, because the goal we set out in this report is to get unemployment in this province down to 6% because this government's projections of 9% unemployment are completely unacceptable.

It is quite clear that last year's budget is going to fail to reach its job targets, and one of the reasons it's going to fail to reach the job creation targets is because of the \$2 billion in job-killing taxes that were in that budget. It was made very clear to our task force that it would be necessary to reduce taxes in order to get people working again, and I realize the minister has finally begun to acknowledge that and we too were pleased to see that he had decided to reduce the taxes on the you-brews. That had been a vibrant and growing industry until this government put a tax on it in last year's budget, and we've since seen some 500 people laid off and some 40 businesses close.

I ask the minister: Given the fact that you have finally acknowledged that the you-brew tax was forcing people to lay off employees and to close their doors, can we now expect, as we look towards the next budget, that you are examining the whole host of job-killing taxes you introduced last year and that you will be taking steps to

determine what other ones should now be cut?

**Hon Floyd Laughren (Minister of Finance):** I appreciate the reference to the official opposition's task force on jobs. When I was reading it, I could not help but notice the numbers and even do a little bit of analysis of the numbers contained therein. I don't want to be mean to the leader of the official opposition or to tease the bears on the benches opposite, but I did want to tell her directly that she's wrong on the numbers in her task force on unemployment, she's wrong on the numbers on job creation and she's wrong on the level of deficit that would be achieved by the actions that you recommend in your task force report. Your task force report is full of holes, and I hope you will not ask me to use it as a benchmark for any future actions we'll take on this side of the House.

**Mrs McLeod:** I was very pleased about the fact that what we have set out in our jobs task force report has received independent confirmation from economic specialists that it is indeed balanced and realistic and would work. I say to this Finance minister that the clear evidence that his approach has not worked is seen in the fact that there are 4,000 fewer people working in this province at the end of March this year than there were at the end of last year. That is clear evidence of what does not work.

I take the Treasurer back to my question of whether or not they are prepared to look at job-killing taxes and remove them as he approaches his budget. I want to give him an example of one tax that I believe he should cut.

Treasurer, last spring you announced that you were going to put a new tax on ferries in eastern Ontario. The communities that were affected have argued long and hard that those new fees, a tax by any other name, will hurt tourism and that they will kill jobs. The Premier said the government would do a study on it, and the study was done, but it didn't look at the impact of the fees and it didn't look at the impact of those fees on the local economies.

In absolute frustration, the people in one of those affected communities, the people in Glenora, did their own study, and they found that the fees on the Glenora ferry alone will cause job losses and that the province will actually lose \$48,000 in revenue as a result of those job losses.

So, Minister, I ask you: Given this kind of evidence of not only lost jobs but also revenues lost to your own budget, why would you proceed with these fees? If the fees are only going to lower revenues, why don't you cancel them and save the jobs that would be lost?

**Hon Mr Laughren:** I'm glad that the leader of the official opposition at least now is calling them fees and not taxes. If you use the service and pay a fee for using the service, I don't think that's unreasonable at all. I see nothing unreasonable about that whatsoever.

When the leader of the official opposition talks to us about job-killing taxes, and in her report makes special references to the employer health tax as a job-killing tax, I want simply to remind her who it was that brought in the employer health tax in this province. It was the

Liberal Party when it was in office. And if the leader of the official opposition doesn't like using herself as a benchmark, perhaps she could look to her cousins in Ottawa, who raised UI premiums by as much as 7% in January of this year. There needs to be at least a modicum of consistency when the leader of the official opposition puts her questions.

**Mrs McLeod:** We are at least prepared to deal with today's realities, and that's what our task force report does. I would suggest that people who are prepared to deal with today's realities stand here and look at what is happening in Ontario today. The leader of the third party would not be voting for the Frank Miller budget and the increase in personal income tax that was in that particular budget. Today's realities are different, and I take the Treasurer back to this very specific example of a tax by any other name that is going to cost jobs and cost him revenue in his next budget.

Minister, let me focus on what you're doing here. You hope to collect \$190,000 with these new fees—a tax by another name. It's going to cost you \$68,000 a year to collect the fees. The Glenora study—this is just on the Glenora ferry alone—shows that the local tourist operators will lose \$375,000 in business and this will cost you \$80,000 in lost revenues. The pick-your-own farmers will lose \$150,000 in business and that will cost you \$33,000 in lost revenues. Added to all of that, 45 jobs will be taxed out of existence.

Minister, do you not realize that this is another case just like the you-brews where you are taxing away jobs and strangling the economic recovery? I ask how you can justify that kind of tax increase that is both going to kill jobs and cost you revenues.

**Hon Mr Laughren:** I suppose we could have a debate on the numbers contained in the question by the leader of the official opposition, but I would simply say to her that I do not think it's unreasonable for people to pay a fee for the services they receive on something like a ferry. I just don't think that's unreasonable. Whether it's riding on the TTC or whether it's riding on a ferry, I don't think that's unreasonable.

I know the leader of the official opposition wants everything to be free, to have no taxes, to have the deficit going down, to have job creation but no cost to anyone. Get real. It is not possible to do all that you want to do, given the promises that you try to extract from us for not increasing taxes.

You've just taken me to task for raising taxes in the last budget. At the same time, your critic is on his feet castigating us for the level of the deficit week after week, which is his job and he does it well, but at the same time, you cannot have it both ways. Where do you stand on the deficit? Where you do stand on the level of taxation? I can just say to you as the leader of the official opposition that I think it's time you put your positions in front of the people of this province.

#### TRANSFER PAYMENTS TO MUNICIPALITIES

**Mrs Lyn McLeod (Leader of the Opposition):** My effort today, once again, is to try and find out where the government stands and what the government is planning

to do, so I will again go to the Minister of Finance, on another issue.

Minister, in late March you announced that you will be keeping funding to schools, hospitals, colleges and universities and municipalities at last year's level in order to preserve essential services and to save jobs.

Municipalities greeted that announcement with pleasure, but they recognized that this particular program, the commitment on unconditional grants, is only 16% of the transfers they receive from the province. They're still waiting for the other shoe to drop. They're waiting to hear from you about your commitment specifically to road funding transfers, which are tied to billions of dollars' worth of local road capital projects.

I have in my hand a copy of a government letter which was sent out to all municipalities last week warning them that the province's road funding budget will not be finalized until May and that there will be "significant reductions" in road funding.

The Association of Municipalities of Ontario is concerned that you may be prepared to cut road grants by as much as 20%, which would mean a \$73-million cut in maintenance funding and a \$73-million cut in new construction funding. Perhaps even more significantly, according to the association of municipalities, that would mean 1,100 fewer jobs this year.

1410

Minister, can you explain why you have decided to break your promise to match last year's transfers to the municipalities and why road transfers would be cut and 1,100 jobs would then be threatened?

**Hon Floyd Laughren (Minister of Finance):** Mr Speaker, I wonder if I could refer that question to my good friend and very competent Minister of Transportation.

**Hon Gilles Pouliot (Minister of Transportation):** The dilemma: the impasse of having municipalities that are anxiously awaiting each and every year the base capital transfer payment, the money that flows from the province to more than 850 client groups.

Last year we were talking in terms of \$714 million. That's money that left Queen's Park and went to 882 clients. Part of the money was used for maintenance—Harry Smith, the grader operator during a snow storm; and part of the money was used for capital, fixing the potholes in a small and remote community: \$714 million.

The announcement hasn't been made, but I know and I remain confident that the commitment of the province will make each and every recipient and partner proud of the money they shall receive. It is not our intention, never was, never will be, to unload, to make a transition in the negative from the province to the municipality. There's no shell game here. Let's wait and see, and you can look to the future with confidence when it comes to transfer payments.

**Mrs McLeod:** Do we assume, then, that the minister's response to that question is the Treasurer's response to the concerned letter from the association of municipalities that has been sent to the Treasurer today?

I would remind you that the construction season for



road projects is beginning, that municipalities have to know now what they'll be receiving in road funding so they can firm their tenders, so they can sign contracts, that you're now making them wait until May to even start making those decisions.

I would remind you that last year, even with the social contract and the expenditure cuts, you were still able to tell municipalities what they would receive for road funding early in the year, because you recognized then that it was important. In fact, at that time you said you were protecting capital funding to help support jobs and economic growth. Why has the agenda changed this year, when you promised to maintain transfers?

While the Premier is going on boasting about his record on capital spending, you're playing hide-and-seek with the municipalities of this province. I ask you directly, why are you continuing to delay the announcements on road funding? Tell us exactly how many projects you expect to be cancelled and how many jobs will be lost.

**Hon Mr Pouliot:** I can appreciate the anxiety, but when we're talking about jobs, there's nothing phenomenal here. There's no hidden agenda. This isn't a shell game.

We're moving full steam ahead on four subway lines for public transit. The largest project in North America, Highway 407, is going full steam ahead. Let's talk about jobs: You're talking about more than 20,000 jobs. No work has been done on public transit vis-à-vis the subway in the past 10 years. We're moving not on one, not on two, not on three, but on all four lines.

We've formed a corporation. We're spending more money on highways than ever before. We're full partners in the provincial-federal-municipal infrastructure program: more money, more jobs, more women and more men going to work.

We've very much aware of the need at the municipal level to be able to set your budget. It wasn't too long ago that most municipalities took full advantage of their allocations under the "interim tax levy," 50% based on last year's figures. I too, coming from a small and remote community in northern Ontario, can relate directly: I have been there; I am still there. There will be more jobs than ever before, more money from capital transportation going back to the taxpayers via the municipalities.

**Mrs McLeod:** How can we believe what the minister has just said when there is a letter that has gone out saying there will be a significant reduction? What does "significant reduction" mean? This minister is playing games with municipalities in this province and he is playing games with 1,100 jobs that could be jeopardized by this delay and by this significant cut in funding. There is an absurdity to this, because the letter to the municipalities asks for supplementary grant proposals to be made. It says, "We recognize it will be more difficult for you to assess your supplementary funding needs without knowing your base allocation."

While this government is playing games with municipalities, it is quite clear that it is moving full steam ahead with its own capital project announcements.

Over the past few weeks we have watched the Premier conducting a kind of trial election campaign, handing out provincial capital grants while the municipalities are being left to sit on hundreds of millions of dollars in capital projects that could be starting right now. In fact, at the same time in one day last week that the Premier was handing out about \$30 million in capital grants, the municipalities were being told their road funding would be cut.

Why is the funding for the Premier's pre-election campaign announcements ready to go while the road grants are being delayed? Are 1,100 road construction jobs being jeopardized because you can't put a Jobs Ontario logo on them?

**Hon Mr Pouliot:** With the highest of respect, I know, given the high office, that the Leader of the Opposition has better things to do with her time allocation, which is limited, and I appreciate and respect that, than scrutinizing and reading between the lines of messages that appear in a brown envelope from an anonymous source.

Let me reiterate what I have said before in a nutshell, in one-liners: People will be pleased when they see the cheque in the mail. You have the capacity to be positive.

*Interjection.*

**Hon Mr Pouliot:** The Leader of the Opposition keeps interrupting. I don't know if it's a matter of having had a difficult childhood or refusing to understand what I'm saying, plain and simple.

The work will be done. There will be more jobs than ever before, capital, rolling stock, highways. People will be working more than they ever have before. It's a success story. Why don't we share in it and resist the temptation of parochial and partisan politics? People are going to work. They're bringing a paycheque back home. It's good news for all Ontarians.

**Mr Michael D. Harris (Nipissing):** I appreciate the answers from the minister, who demonstrates on a daily basis that he's still in childhood, from what we hear.

I was intrigued with the suggestions of the leader of the Liberal Party, the party that in a very short, five-year period hiked more taxes and had a bigger bureaucracy and higher spending than in the history of the province of Ontario. To stand and have the gall to suggest that taxes are too high suggests to me a significant case of amnesia.

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#### TAXATION

**Mr Michael D. Harris (Nipissing):** My question is to the Minister of Finance. Last year, Minister, you announced a 26-cent-a-litre tax on brew-your-own businesses. In eight months that tax killed 150 jobs and 30 businesses, and despite this devastating impact on the industry, you only collected one fifth of the tax revenue that you had projected.

Yesterday you said—quite frankly, I congratulate you for recognizing and acknowledging it and I hope I'm quoting correctly from what I read in the press reports, because you didn't say it in the House—that lowering the you-brew tax will actually increase your revenues to \$3 million annually.

This is exactly what we have been trying to tell a succession of treasurers for 10 years in the province of Ontario. It is exactly what we have been telling you in your tenure as Treasurer for the last three years.

Now that you have recognized that we have hit the tax wall—it's a wall beyond which, when you hike taxes you actually get less money, and if you will cut taxes you will get more money—would you acknowledge and have you examined, two weeks before you present your budget, other tax rates that are at or in excess of the tax wall where you could actually get more money by cutting rates? Could you give us that analysis?

**Hon Floyd Laughren (Minister of Finance):** If I might respond first to some of the comments in the leader of the third party's preamble in which he, I thought, was a bit unfair to the official opposition—

*Interjections.*

**Hon Mr Laughren:** Wait for it, wait for it—a bit unfair to the official opposition in making references to their tax increases. Does he forget that it was the Liberal Party of this province that promised to reduce the sales tax by 1% in the middle of the last election campaign? Give them credit for something. I think you're being too unfair to the official opposition.

I would say to the leader of the third party not to read too much or to generalize from the particular on the reduction in taxes on the you-brew establishments. I think a better example would be what happened when we lowered cigarette taxes in the province.

We know that with a dramatic decrease in taxes, revenues to the province will drop, even given the increased sales, particularly to young people, by about \$500 million this fiscal year. I wouldn't want the leader of the third party to generalize and come to the same conclusion that Ronald Reagan did, that if you lower taxes your revenues automatically go up.

**Mr Harris:** No, I have not forgotten the 1% on the road to Damascus in the final weeks of the campaign. They seem to be hung up on this 1% solution; that we'll forget the massive billions of bureaucracy and spending and tax increases.

However, let me by way of supplementary deal with the issue at hand. The you-brew tax I assume you cut because you understood you were beyond the wall on that tax instrument, and that cutting the tax in half would actually increase the revenue and produce jobs and economic activity, get more people working, more people spending, more people investing in that area.

There are dozens of taxes, Treasurer, that we believe you can cut. You and the Liberals have hiked taxes 65 times since 1985 alone, and the result of those tax hikes is a \$10-billion deficit and half a million people who are unemployed. Of those 65 tax increases, 11 were personal income tax hikes.

Given that you and the Liberals hiked personal income taxes 11 times, given that the personal income tax rate in Ontario now is among the highest of all the jurisdictions we must compete with, will you in two weeks' time in your budget cut personal income taxes on hardworking Ontario families so we can let them spend some of the

dollars and create some of the economic activity and the jobs? Will you cut income taxes?

**Hon Mr Laughren:** I would not want to pre-empt the event on May 5, which is the budget. I wouldn't want to write it by some kind of quirky committee system here on the floor of the Legislature.

But the leader of the third party has made references in both his question and his supplementary to the you-brew tax. I believe revenues will go up as a result of the tax decrease on you-brews, because that was a struggling, infant industry going through a real struggle as it tries to find a niche in the marketplace, so I do think that was the right decision.

But I also know that all of our revenues are hard-found revenues. The taxpayers obviously are making their contribution to the continuing provision of essential services in this province, and I would not want to mislead anyone into thinking that massive tax reductions can happen at the same time we preserve the essential services in this province, which everyone tells me they want to preserve.

**Mr Harris:** The Treasurer refers to an industry that was threatened and struggling. I want to tell the Treasurer that the middle class of this province, families, individuals, hardworking Ontarians, feel threatened, they're struggling, they're concerned about jobs.

One of the greatest barriers to job creation and why they feel threatened is the high rate of personal income tax. I want the Treasurer to know that. In addition to that, 85% of all jobs in Ontario are created by small business. In every community where our task force on small business visited we were told that payroll taxes were among the most punitive taxes on jobs—the most punitive taxes for them and the most punitive taxes on jobs.

The Canadian Federation of Independent Business told you earlier this year that “without question, payroll taxes are a deterrent to new job creation.”

The Liberals introduced a whopper payroll tax for health care in 1989. Three years later, you increased that tax to include self-employed business people. For the sake of jobs and for the sake of investment in Ontario, will you eliminate the payroll tax on all small businesses in your upcoming budget two weeks from now?

**Hon Mr Laughren:** The leader of the third party is correct when he indicates that the official opposition, when it was in government, did introduce the employer health tax. But to be fair, the health care premiums were abolished at that time. The leader of the third party knows that the total employer health tax means over \$2 billion in revenues to the province, so in total that's a lot of money.

The leader of the third party, to be fair, I believe was referring only to the small-business aspect of it, which is already at a 50% rate of what large business pays as an employer health tax. I think the leader of the third party was asking if the small-business component could be eliminated. I appreciate all suggestions when it comes to dealing with the tax system, and I will certainly allow that suggestion to roll around in my head for the next couple of weeks.



## TENDERING PROCESS

**Mr David Turnbull (York Mills):** I'd like to read briefly from Hansard from the Minister of Transportation's statement yesterday with respect to the Highway 407 tendering process. He said: "I don't know if it was the lowest bidder. I understand that negotiations are still going on."

Minister, I'm rather alarmed by yesterday's answer, as you might suspect. If you don't know that the winning consortium for the 407 project was the lowest bidder, why have you chosen a winning bidder, and how can you justify leaving such important decisions in the hands of non-elected officials?

**Hon Gilles Pouliot (Minister of Transportation):** I appreciate the follow-through on the question. First, you will allow me to help my friend the member opposite by saying emphatically—not that it matters at all, but just a *mise au point*—that I was not at the fund-raising dinner. I don't think it matters, but you had assumed, with respect, that I was there, but I wasn't.

Regarding the question, my understanding of the process is that the criterion was value for money. Which of the two consortia was to meet that crucial, that vital criterion in terms of getting the best shake for the dollars of the taxpayers? Not necessarily the lowest bidder.

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At the very beginning of the process, and it's important, cabinet chose to distance itself, because of the size of the contract and because of the innovation of the capital corporation, from the process, so the vacuum had to be filled. What they did, and I think in their wisdom, sir, was to appoint four deputy ministers to guide the process through and actually make the decision.

Today we have a winning consortium, a successful consortium. There are still three to four weeks of negotiations vis-à-vis the contingencies to tidy up the final package, for instance. We're not involved in the process. We have the jurisdictional capacity, the mandate, to appoint people—that's what we did—and to monitor the process to make sure that everything was aboveboard. We hired the reputable firm of Price Waterhouse and they're the people who can certify as to the integrity and the good flow of the process.

**Mr Turnbull:** Minister, I'm reminded of Harry Truman who had a sign on his desk which said, "The buck stops here." There's no chance that any of your ministers, particularly you, sir, are ever going to have a sign like that on your desk.

You've just talked about value for money and the best shake for the taxpayer. The financial capacity of the winning consortium, CHIC, has been called into question. Matthews Group, which was one of the original members of the consortium, went bankrupt during the proposal process. Armbrö Holdings Inc, the Brampton-based road builder, filed for restructuring under the companies' creditors act during the proposal call. What assurance can you give to the taxpayers of the financial capacity of this group to complete the project?

**Hon Mr Pouliot:** I'll go back again to the monitoring done by Price Waterhouse. If you mention one, two, let's

say, individual companies, you have to keep in mind that this is not a catalyst but those are components. They're part of a larger body which is the corporation, the consortium, and the consortium can have, with subcontractors, as many as 80 to 140.

Suffice it that in most instances, they are reputable, they are solvent and they have a track record which will lead, individually and in the collective, to the ability to deliver the project on time, because it will be a contractual arrangement, within budget. You have the assurance that their shoulders are broad enough to bring in this well over \$1-billion project. They will help us create more than 20,000 jobs.

I appreciate the interest. What is at stake here is simply the largest highway project in North America in 1994: 3,000 jobs this year, and by the time of its completion, gradually well above 20,000 jobs with a multiplier of two and half dollars for every dollar that is put in the project.

**Mr Turnbull:** Minister, every day that you stand up here, you demonstrate over and over again that you don't understand what you're doing. Let me assure you, and you can check with your ministry officials, that when you're in a consortium, you are not obliged to bail out other members of that consortium. Okay? Get that clear before you answer me this time.

As you correctly pointed out, this is a \$1-billion project. It's a \$1-billion project that is being funded by the public sector, not the private sector, as the Premier said when he announced it. Your lack of knowledge in this whole field indicates incompetence. We need full disclosure of all these details. You owe it to the taxpayer, sir: full disclosure of this very, very odious deal.

I want you to commit today to reveal the contents of the winning bid in all the details so that all the members here can examine how you are spending public funds.

**Hon Mr Pouliot:** There is no Pearson spectacle when we refer to the 407. There is no facsimile of the questionable deals at SkyDome. There is nothing cartel-like or monopolistic. When the member above says that on a daily basis, whenever given the opportunity, I display a lack of knowledge which is obvious to all—

**Mr Turnbull:** And incompetence.

**Hon Mr Pouliot:** Well, I have been reading stock pages for well above 30 years, not always unsuccessfully. Maybe that's one reason why the member opposite is sitting there and I'm sitting here.

The member mentions that the public, the taxpayers of Ontario, will pay for the 407. We have established a corporation. The corporation will go to the marketplace. The corporation will borrow money. But borrowings have to be paid back, so when people give a loonie for their county, when they take a token out of their pocket and they put it in the slot before they drive on the highway, or electronically while they're using the highway, the money will be gathered in a pool. You'll go back to the banks and the financiers and pay your debt. The users will finance the building of the 407 over a period of 25, 30 or 35 years.

It is innovative. The cost of the project is reflected over the life of the project. It's a win-win-win situation

to alleviate the oversubscribed traffic on the 401. We now have the 407. You have a choice. More than 20,000 people who are directly involved with the project sure appreciate the financing aspect of this project.

#### VISITOR

**The Deputy Speaker (Mr Gilles E. Morin):** Would you please stop the clock for a minute.

I would like to inform the members of the assembly that we have in the Speaker's Gallery today the consul general of Poland, Mr André Brzozowski. Please join me in welcoming our guest.

#### TOURISM INDUSTRY

**Mr Hugh O'Neil (Quinte):** My question today is to the Treasurer. You have called upon the opposition parties to make suggestions to assist you on improving your deficit position. My suggestion relates to the tourism industry, which as you know has been devastated over the last few years: large job losses, bankruptcies, a huge drop in the number of tourists visiting our province and a large drop in the tourism tax revenue to your ministry; in all, a Canadian travel deficit of \$7.7 billion last year.

Over the last few years, our tourism marketing budget has been reduced from \$25.5 million in 1987-88 to approximately \$13.6 million in 1993-94. Of this \$13.6 million, only \$5.8 million is spent on marketing in the US and only \$2.3 million in the overseas markets.

In Quebec, where they see the importance of tourism, they have retained their foreign offices to advertise and promote their tourism, and in their recent budget they have allocated an additional \$10 million a year for each of three years to promote tourism. On the US market alone, they will be spending between \$9 million and \$10 million this year, versus our \$5.8 million.

In your upcoming provincial budget, will you consider transferring from within your budget additional funds to the tourism marketing budget, a move I believe will greatly increase our tourism numbers and improve our tourism tax revenues, provide jobs and revive our tourism industry in the province of Ontario?

**Hon Floyd Laughren (Minister of Finance):** I would be the last person to undervalue the worth of tourism to the Ontario economy and to specific regions within the province, but I await the member's supplementary, because I'm sure he's going to tell me from which ministry or which service he'd take the money that he would put into tourism.

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**Mr O'Neil:** Of course, Treasurer, this really points out one of the real problems with you and with your government, and that is that if you're going to bring in tax revenues, you have to know where to spend the money and you have to know where to save.

What I'm suggesting to you is that, with the multiplier effect of spending additional funds in the Ontario marketing budget, you will attract millions—maybe not millions, but hundreds of thousands—of new tourists to the province of Ontario, giving you additional tax revenues, not only from what they spend but also from the jobs you will create. When we look today at the value of the American market and their economy improving, and

when you're looking at the value of their money, there are millions of dollars in revenue for you and your government, yet you don't seem to be able to see that.

What I'm asking is, will you look at spending additional moneys in the marketing budgets which will give you a very large return? The tourism industry really needs it.

**Hon Mr Laughren:** As I said, I'm not quarrelling for a moment with the member's assertion about the importance of tourism and the revenues that flow to the province from it. But there is almost an unlimited list of projects on which we could spend more money and the argument could be made that more money would come back to us. At the end of the day, some more money will come back to us, but our expenditures will be going through the roof as well.

These are not the 1980s. I appreciate the fact that in the 1980s, when your party was in power, you were able to spend, spend and spend. That is no longer the case. We have put a lid on expenditure growth in this province and we're going to continue to keep to that commitment. It's up to the Minister of Culture, Tourism and Recreation, of course, to allocate the dollars within her ministry.

#### LANDFILL

**Mr David Tilson (Dufferin-Peel):** I have a question for the Minister of Agriculture, Food and Rural Affairs, as a person who sits around the cabinet table. I read with interest last week a notice that you have sent to the people of Hastings-Peterborough. I'd like to quote from that notice, which is dated April 13 and is addressed to the people of Hastings-Peterborough. It talks about the selection of dump sites as being a municipal process. You say that "selecting dump sites is a municipal process driven by county government working within certain guidelines that were set up by the Liberals in the 1980s." Is this the policy of the NDP government?

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** The member is quoting from a press release which was quoted in local papers in my riding. Yes, I was explaining to the constituents in my riding that the responsibility for the selection of dump sites was given to a committee which hired a consultant and it was through a process that was set up back in the 1980s in order to select the best site for a landfill site in Peterborough county.

**Mr Tilson:** Having said what you've just said, would you be prepared to tell the municipalities of Caledon, York and Durham why they don't have a similar process?

**Hon Mr Buchanan:** I'm not responsible for Caledon and those other areas in terms of what goes on in terms of the GTA and finding landfill sites. I can speak with some assurance about what goes on in Peterborough county in terms of landfill sites on agricultural land. I'm sure the member knows that our ministry will be commenting on landfill sites in terms of whether or not, through agricultural land, we will have some input into that process.

I can't really comment on the IWA process. That's up to the Ministry of Environment and Energy.



## FOOD LABELLING

**Mr Kimble Sutherland (Oxford):** My question is to the Minister of Agriculture, Food and Rural Affairs. Recently I attended the annual Oxford federation of agriculture conference held with municipal, provincial and federal elected officials. The theme of this year's meeting was Oxford 2000 and how the local agricultural community is preparing for the next century. One of the issues raised that day was the question of food labelling. The cattle producers, who have lost a lot of market share to imported beef, are very concerned about this matter.

Minister, can you tell the Legislature what you are doing to ensure that when consumers purchase fresh meat in the grocery store, they can make an informed choice by having the meat labelled by its country or province of origin?

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** The member raises a good point, because certainly all products that we normally buy in other stores are labelled with country of origin. In the province of Ontario we have responsibility for labelling of grades. One of the things we are looking very seriously at doing soon is to be able to grade fresh meat so that it will be labelled with the grade so we'll know whether it's grade A or whatever the grade labelling is, and we can bring that regulation into play hopefully very soon.

We are consulting with the industry, though, to make sure that we're doing something in terms of the retailers and the producers so that we're bringing in the right kinds of regulations that will not be an impediment to doing business in the province either.

**Mr Sutherland:** This initiative will not only have significant benefits to beef producers in Ontario but will also have significant benefits to consumers. It will allow them to make informed choices about purchasing fresh meat, particularly if the meat is from countries that do not have the same high standards of inspection as does Canada. When can both beef producers and Ontario consumers expect to see labelling of fresh meat by country of origin in Ontario grocery stores?

**Hon Mr Buchanan:** Unfortunately, perhaps, when it comes to having regulations to label country of origin, we have the federal government and the provincial governments with joint responsibility. That will require us talking to my federal counterpart, which I've already done by correspondence, asking that we do that, because it would be very important for the meat producers, not only the cattlemen but certainly the pork, chicken and other producers, to have country of origin labelling on all fresh products.

I have talked to my counterpart in Ottawa. We very much hope that we can get such regulations in place by this fall at the latest. I look forward to the cooperation of the federal minister on this issue.

## ARTS AND CULTURAL FUNDING

**Mr Gregory S. Sorbara (York Centre):** I have a question for my friend the Minister of Culture, Tourism and Recreation. It's a matter that I raised with the Minister of Citizenship some days ago when the Tourism minister wasn't here. It concerns the public government

funding of that writers' conference that the Writers' Union of Canada is convening that white authors need not, and indeed may not, attend.

Frankly, I don't care what organization organizes what meeting and I don't even mind if the organization chooses to say, "I'm sorry, no white people may attend this." What I get concerned about is when the state, the provincial government, indeed the minister's ministry, says: "We want to sponsor this. We're going to provide \$15,000 worth of funding for this conference."

I just want to put it to the minister and ask her not to hide behind the notion that this is an arts council grant and it's independent and it has to make its own choices. I want the minister to tell me whether she thinks that it is a good idea, that it is good public policy that this kind of conference receive the sanction of the provincial government and funds from the taxpayers of Ontario in the form of financial sponsorship.

**Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation):** First of all, as the member knows full well in his reference, the \$15,000 was not actually a grant from my ministry; it was from the Ontario Arts Council. None the less, it is my position that it is not the position of this government to tell the writers' union just what they can hold a conference on and what they can't hold a conference on.

I understand the controversy and I understand the feelings around it, but what this reminds me of is my own days in the women's movement as we as women tried to grapple with, should we sit down and have conferences trying to explore our feelings around issues and how to empower ourselves and deal with issues that included men right within those groups, or did we need to have some time to be able to sit down and meet with ourselves and talk together? We often decided we needed to have some time to be able to sit down and meet and share concerns together.

It seems to me that's what the writers' union has decided to allow to happen in this situation. It doesn't seem to me that it's my position to tell them that's not for them to do.

**Mr Sorbara:** My problem is that the minister says this is good public policy, and I find that very strange. I remember, when I was very young, my mother telling me about public beaches in Toronto which said, "No Jews Allowed," and the politicians of the day said that this was a good thing, because it's important that people bathe separately. It's the same sort of thing.

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I want to suggest to my friend the minister that she pick up a little volume called *The Disuniting of America*, written by none less than a very pre-eminent American author named Arthur Schlesinger, who says that the ethnicity rage currently going through America—I'm paraphrasing there—"not only diverts attention from the real needs but exacerbates the problem, creating a society fragmented into ethnic communities. The culture of ethnicity exacerbates differences, intensifies resentments, antagonisms and drives ever deeper the awful wedges between races and nationalities."

I'm saying it's not a matter of one writers' conference. It's a question of whether or not, as the Culture minister, this separation, this statement that white authors cannot attend, is something that you publicly support and is the position of your government that it is deserving of support. Yes or no?

**Hon Ms Swarbrick:** I don't accept at all the analogy of the writers' union's conference for writers, particular writers, as being equivalent to the days in Toronto when we had signs on the beaches saying "No Dogs or Jews Allowed." I was raised by my family to understand the horrendous discrimination that meant to powerless people in the society who needed to be able to have defence and to be able to be restored to power in this society.

It seems to me that there is a time for us, as groups, to come together and work together, and there are some times for groups that have been traditionally disempowered and are not enjoying the power that some of us do in society to be able to come together and to share perspectives themselves.

I don't think that the member for York Centre would be advocating that this government cease the funding to Italian associations that I know he very much supports. It seems to me that if this government should be helping to continue to further the funding to Italian associations, where groups for instance will speak together in Italian, which in itself can be somewhat exclusive, I support that funding. I would hope he would have some understanding of the value of these writers' conferences the writers' union is sponsoring and of their right to make their own decisions about what workshops they sponsor.

#### BUDGET

**Mr Cameron Jackson (Burlington South):** I have a question for the Minister of Community and Social Services. For the last year and a half, you've been standing in the House and indicating that you're now keeping comprehensive statistics on social assistance in this province. Perhaps part of that is because of the 1992 Provincial Auditor's report, which identified these weaknesses, and in particular in the "Maintenance and Child Support" section.

I'll remind the minister, in that report the auditor noted that the ministry procedures are not followed in maintenance cases. The ministry's policies requiring that child support cases are reviewed periodically to assess the status of support payments, waivers on support, should be reviewed if a parent is available and able to contribute, but this was not the case being followed by your ministry.

My question to you is: How many support-paying fathers are defaulting and now seeking social assistance in this province? And the corollary, of course: How many new applications for social assistance are we receiving from mothers because their ex-spouses are no longer making their child support, court-ordered payments?

**Hon Tony Silipo (Minister of Community and Social Services):** I don't have those figures available with me, but I'd be quite happy to provide those to the member and to anyone else who would be interested. I can tell him in a general way that my understanding is that the

situation has significantly improved as a result of the processes that have been put into place. But as I say, I don't have the exact figures to share with the member at this moment.

**Mr Jackson:** That is not what I am led to believe when I talk to various people around the province who are dealing with this matter. In fact, it certainly isn't the undertaking you took before the public accounts committee and the Provincial Auditor that you would pursue this case more vigorously.

I'm concerned about a case which I'd like to bring to your attention that I believe is more common than not. It involves a Mr Johnston from Hamilton who, before a unified family court judge, made application for a variance and had \$20,000 of his accumulated arrears written off and his ongoing payments suspended. He too, like his ex-wife and their daughter, is now on welfare in the province of Ontario.

Minister, why are you not monitoring the cost implications of this growing trend, especially considering the fact that the Attorney General administers the family support plan? The Attorney General's office is involved through the decision, yet the Ministry of Community and Social Services is in fact the party in court seeking these funds on behalf of the Treasurer.

We're seeing this level of write-off occurring far too frequently. Will you please return to this House and give a fuller report as to the amount of these write-offs, which are increasing the cost of social assistance, in our view most unnecessarily?

**Hon Mr Silipo:** I'd be very happy to come back and provide both the member and other members of the House with more detailed responses I have undertaken to do. I will just again reiterate for the member that it's important that we keep in mind in this situation that I think the information I'll be able to share with the member will show that the situation has significantly improved since we instituted the family support plan. I'll be happy to share that information.

There are some things that continue to concern us, but I think all of this has to be done in the knowledge that if people aren't out there and aren't working, they obviously have to be given some leeway in their ability to be able to comply. But I think the efforts that we've undertaken in this area have vastly improved the situation, and it has meant that fewer people, particularly fewer women, have had to rely on social assistance in order to get what is legitimately theirs through support.

#### PROTECTION OF PRIVACY

**Mr Bob Huget (Sarnia):** My question is to the Minister of Community and Social Services. Minister, you are aware that in November of last year the Lambton county council passed a motion to allow the warden of the county to view the names and addresses of all welfare recipients in the county. That includes people in my riding of Sarnia.

Council's motion outraged many of my constituents, both those who receive benefits and those who don't. In spite of that, Lambton council had the opportunity to rescind the motion in March, but chose not to.



I am very concerned about this motion for two reasons: First, this is a blatant abuse of the Municipal Freedom of Information and Protection of Privacy Act and, second, this motion further stigmatizes and humiliates those people in Lambton county who find that they are in genuine need of assistance.

Minister, I know through writing to you and discussions with you that you share my concerns, but, frankly, concern is not enough. Something needs to be done. Everyone in Lambton county has a right to dignity and a right to privacy. This motion takes those rights away from people who are receiving welfare in my community. What will you do today to have this motion rescinded by Lambton council?

**Hon Tony Silipo (Minister of Community and Social Services):** I want to thank the member for raising this question in the House, because I know that this is an issue that concerns him and, quite frankly, concerns me and the ministry as well very seriously.

We have been quite clear since—I guess it was about December when the council passed the resolution that it did—that we consider the actions they have taken to be contrary to the municipal freedom of information act and contrary to our directions under the General Welfare Assistance Act. We don't believe that the warden or any other councillor has the right to receive the names of people who are on social assistance and we've been very clear in that.

I can tell the member that, given the fact that this resolution is still on the books of the council, we are in the process of communicating again with the warden and indicating that if they do not take steps to rescind the resolution, we will take steps to discontinue electronic funds transfers to that municipality. We want to be very clear that we expect compliance with the legislation and we will take all steps necessary to ensure compliance is adhered to.

**Mr Huget:** Thank you very much, Minister, and thank you for your commitment on a very important matter. I only hope that Lambton county council will heed your advice, rescind the motion and this will finally be over. But I have one concern about discontinuing the electronic funds transfer. If council does not rescind the motion and the ministry takes this action, is there any chance at all that there could be delays in recipients obtaining their cheques?

**Hon Mr Silipo:** I think again that's also a useful point. Obviously, as we proceed in this situation we want to monitor very closely and we will monitor very closely what happens. We hope that the message we are giving to this municipality will be quite clear in terms of their understanding how seriously we take the issue of confidentiality of clients' records and that it is something that has to be respected in everything that all of us do to continue to manage the system.

We will obviously continue to monitor the situation to ensure that there are no delays in the payment to individual recipients who are eligible for general welfare assistance and we will take further steps, as necessary, to ensure that.

1500

#### AGRICULTURE PROGRAMS

**Mrs Joan M. Fawcett (Northumberland):** My question is for the Minister of Agriculture, Food and Rural Affairs. Minister, last week you said that in measuring the effectiveness of your ministry and your programs, we should not just use money as the only criterion. You mentioned also bankruptcies. Maybe we should just set that record straight.

The Tories over here left their government with 356 farm bankruptcies in 1985. After five years the Liberal government bankruptcies were down to 18 in 1990. Now, after four years of NDP rule, you're telling us they're back up to 58. But then, you and the Tories are much the same when it comes to farmers.

But let's look at one of those non-cost initiatives the minister and the government say they support. Bob Rae and the NDP government have promised the AgriCorp legislation since they took office. The legislation is supposed to streamline and improve the delivery of crop insurance and stabilization. Bills 63, 64 and 65 were introduced in June 1992 and are still awaiting second reading.

Minister, you said on June 11:

"The idea for an agency to deliver safety net programs has been around a long time. The creation of the AgriCorp is another example of how this government is committed to working with the producers and others to ensure the long-term economic health of the farming community."

When can we expect to see this legislation? When will we have these three bills in for second and third reading, or, once again, are these not on the NDP's A and B list?

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** First of all, I would like to make sure the member understands when she's talking about the number of bankruptcies that have occurred in the province of Ontario farm enterprises that if we give the fact that in 1990 there were 18 bankruptcies, which is the figure I have, over the five years, if you include 1990 as part of the Liberal administration, there were 359 bankruptcies. In 1991, 1992 and 1993 in total there were 58 in three years, whereas in five years there were 359, which is more than double, more like triple. We have to be careful when we're talking about the number of bankruptcies.

There were some bad numbers also back in the early 1980s, which I'm sure the member is alluding to, back in the recession in 1981, 1982 and 1983 and the fallout from that recession. I think everyone would agree there were a number of bankruptcies due to that particular recession. But even though we've had hard times in terms of the 1990s, the bankruptcies are down to a reasonable level. They are up from 18, but there were only 22 in 1993.

On the other point, the member's question about legislation, obviously the formation of AgriCorp is important to the government. We could go ahead and introduce and finish this legislation. However, I want to point one thing out to the member and to the farm

community. We now have a government in Ottawa that's talking about a whole farm safety net program, which means that there is a chance that in a year or so the gross revenue insurance plan programs are not going to be necessary in this province. We may have to look at new programs and new administration.

At this point in time, I'm kind of weighing the options of whether to proceed with the AgriCorp legislation or to wait and see the whole farm proposals that come forward and put something in place that would satisfy the needs of whole farm policy as well.

**The Deputy Speaker (Mr Gilles E. Morin):** I'd just like to remind the members, once again, that the questions are too long and the answers are too long. Try to make it more to the point. Brevity is really the answer.

### MOTIONS

#### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Government House Leader):** I move that notwithstanding standing order 96(h), the requirement for notice be waived with respect to ballot item number 53, and that Mr O'Connor and Mrs Akande, Mr Phillips (Scarborough-Agincourt) and Mr Ruprecht, and Mr Beer and Mrs McLeod exchange places in the order of precedence for private members' public business.

**The Deputy Speaker (Mr Gilles E. Morin):** Shall the motion carry? Carried.

### PETITIONS

#### FIREARMS SAFETY

**Mr John C. Cleary (Cornwall):** To Ontario Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken courses and/or hunted for years; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and require only future first-time gun purchasers to take the new federal firearms safety courses or examination."

I have also signed that petition.

#### EDUCATION FINANCING

**Mr Chris Stockwell (Etobicoke West):** My petition is to the Legislative Assembly of Ontario and it's signed by a significant number of constituents of mine as well as of the greater Toronto area. My petition goes something like this:

"Whereas the British North America Act of 1867 supports the right of Catholic students to a Catholic

education, and the province of Ontario supports two educational systems from kindergarten to grade 12/OAC;

"Whereas the Metropolitan Separate School Board educates more than 103,000 students across Metropolitan Toronto,"—and that is astounding, that number—"and whereas this is equivalent to 30% of all the students in the area;

"Whereas the Metropolitan Separate School Board is expected to provide the same programs and services as its public school counterpart and must do so by receiving \$1,822 less for each elementary school student and \$2,542 less per secondary school student (based on 1993 estimates, MET published statistics);

"We, the undersigned, petition the Legislative Assembly of Ontario to act now to ensure that Ontario's two principal education systems are funded fully and equally."

#### EMERGENCY SERVICES

**Mr Peter North (Elgin):** I have a petition to the Legislative Assembly of Ontario.

"The Four Counties General Hospital in Newbury, Ontario, provides 24-hour emergency services to an area that covers the four neighbouring corners of Middlesex, Elgin, Kent and Lambton counties. Approximately 16,000 people live in small towns, villages and rural sections of this area.

"Due to a shortage of doctors in the area, the hospital has had difficulty in providing medical coverage for its emergency room on a 24-hour, seven-days-a-week basis. If the hospital cannot get enough doctors to cover, it will have to close its emergency department for part of the 24-hour period. The nearest emergency departments are 40 to 60 minutes' driving distance away.

"We, the residents of the hospital service area, need 24-hour emergency coverage and want the Ministry of Health and the Ontario Medical Association to resolve the critical issue of medical coverage of rural emergency departments immediately.

"We have attached our names and signatures to this petition."

There are literally hundreds of names on this petition. I thank you very much and I'll attach my own.

#### LAND-LEASE COMMUNITIES

**Mrs Irene Mathysen (Middlesex):** Mr Speaker, just so you know how important this is, I have yet another petition from Twin Elms folks in the riding of Middlesex who petition the Legislative Assembly as follows:

"Whereas Bill 21 has received second reading in the Legislative Assembly of Ontario; and

"Whereas Bill 21 will provide needed protection to owners of mobile homes in mobile home trailer parks and owners of modular homes in land-lease communities; and

"Whereas many owners of mobile homes are threatened with eviction and loss of their investment in their mobile home by the action of their landlord;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To proceed as expeditiously as possible with third reading of Bill 21."



I have most certainly signed my name to this petition.  
1510

#### JUDGE'S COMMENTS

**Mrs Joan M. Fawcett (Northumberland):** I have a petition signed by 570 names from the people of Northumberland:

"To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request that the Attorney General, the Honourable Marion Boyd, reprimand Mr Justice Jack Jenkins for his misuse of judicial power in making discriminatory and abusive comments towards a victim and her mother in a recent child sexual abuse trial. These comments occurred while instructing the jury in an Ontario Court (General Division) at Cobourg, Ontario, dated February 23 through February 25, 1994. In so doing, we feel a public apology to the victim and the victim's mother is both appropriate and necessary."

I realize this really should be directed to the federal Attorney General because Judge Jenkins is a federal appointee, but I have spoken to our Attorney General, Marion Boyd, and she has assured me that this will get redirected to the federal House.

#### HAEMODIALYSIS

**Mr Jim Wilson (Simcoe West):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas several patients from the Collingwood area are forced to travel great distances under treacherous road conditions to receive necessary haemodialysis treatments;

"Whereas the government has done nothing to discourage a patchwork dialysis system whereby some patients receive haemodialysis in-home and others travel long distances for treatment;

"Whereas the current dialysis system is discriminatory because some patients have dialysis machines and are treated in-home, while others have to travel long distances to receive care, and one local patient is forced to pay for her own nurse;

"Whereas the government continues to insist they are studying the problem even though they've known about it for two years; and

"Whereas the Legislature passed Simcoe West MPP Jim Wilson's private member's resolution which called for the establishment of dialysis satellites in Alliston and Collingwood,

"We demand the government establish a dialysis satellite immediately in the town of Collingwood."

I've signed this petition, along with several people from the Collingwood area.

#### FIREARMS SAFETY

**Mr Frank Miclash (Kenora):** I have a petition from the area of Fort Frances, Burriss, Barwick and Devlin, and it reads:

"To the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I have attached my name to that petition as well.

#### CHILD CARE

**Mr Chris Hodgson (Victoria-Haliburton):** I have dozens of petitions from people in my riding, which read as follows:

"I have just received notice that the NDP government in Ontario intends to kill child care reform. Families in Victoria and Haliburton counties will be affected dramatically by this decision. I urge you to act now to reform child care. Child care keeps taxpaying parents working and helps other parents return to work and training. Ontario's children and families deserve fair treatment from your government."

This is signed by dozens of parents in our community.

#### TRANSPORTATION FOR THE DISABLED

**Mr Drummond White (Durham Centre):** I have a petition to the Legislative Assembly of Ontario:

"Whereas Metropolitan Toronto council has passed bylaw 95-93, prohibiting cross-boundary accessible taxi services; and

"Whereas the Ministry of Municipal Affairs has been requested by Mr Ron Cowan to amend the Municipal Act to reflect open borders for accessible taxis throughout all of Ontario; and

"Whereas the Municipal Act states that a municipality may exempt taxis from outside municipalities engaged in transporting of the disabled,

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to protect the rights of the disabled in Ontario through the recognition of various disability programs, such as accessibility to public buildings and the accessibility to taxi program, and that the government of Ontario amend the Municipal Act to reflect the exemption of all restrictions involving the transportation of the disabled in Ontario."

I affix my name thereto.

#### FIREARMS SAFETY

**Mr Sean G. Conway (Renfrew North):** I have a petition signed by several of my constituents living in such places as Micksburg and Round Lake and Pembroke and Killaloe, which petition reads—

**Mr James J. Bradley (St Catharines):** All holiday destinations.

**Mr Conway:** My friend the speaker knows these places very well.

The petition reads:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own,

"We, the undersigned, petition Premier Bob Rae and Solicitor General Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I'm pleased to endorse and sign this petition and present it on behalf of these constituents.

#### JUNIOR KINDERGARTEN

**Mr Ted Arnott (Wellington):** To the Legislative Assembly of Ontario:

"Whereas the previous provincial Liberal government of David Peterson announced its intention in its budget of 1989 of requiring all school boards to provide junior kindergarten; and

"Whereas the provincial NDP government is continuing the Liberal policy of requiring local school boards in Ontario to phase in junior kindergarten; and

"Whereas the government is downloading expensive programs like junior kindergarten on to local boards while not providing boards with the required funding to undertake these programs; and

"Whereas the Wellington County Board of Education estimates that the operating costs of junior kindergarten will be at least \$4.5 million per year; and

"Whereas mandatory junior kindergarten programs will force boards to cut other important programs or raise taxes; and

"Whereas taxes in Ontario are already far too high,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government of Ontario cancel its policy of forcing junior kindergarten on to local school boards."

I support this petition entirely and have signed it.

#### EMERGENCY SERVICES

**Mr Peter North (Elgin):** I have yet hundreds more names from the great riding of Elgin with regard to Four Counties General Hospital in Newbury, Ontario. They're asking that it provide 24-hour emergency services to an

area that covers the four neighbouring corners of Middlesex, Elgin, Kent and Lambton counties. Approximately 16,000 people live in these small towns and villages and rural sections of this area.

"Due to the shortage of doctors in the area, the hospital has had difficulty in providing medical coverage for its emergency room on a 24-hour, seven-days-a-week basis. If the hospital cannot get enough doctors to cover, it will have to close its emergency department for part of the 24-hour period. The nearest emergency departments are 40 to 60 minutes' driving distance away.

"We, the residents of the hospital service area, need 24-hour emergency coverage and want the Ministry of Health and the Ontario Medical Association to resolve the critical issue of medical coverage of rural emergency departments immediately.

"We have attached our names and signatures to this petition."

I have attached mine as well.

#### LAND-LEASE COMMUNITIES

**Mr Drummond White (Durham Centre):** I have a petition here to the Legislative Assembly of Ontario. This is about Bill 21, which is an important bill for many people in my riding who live in the Subway trailer park.

"Whereas Bill 21 has received second reading in the Legislative Assembly of Ontario; and

"Whereas Bill 21 will provide needed protection to owners of mobile homes in mobile home trailer parks and owners of modular homes in land-lease communities; and

"Whereas many owners of mobile homes are threatened with eviction and loss of their investment in their mobile home by the action of their landlord,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To proceed as expeditiously as possible to final and third reading of Bill 21" in the interests of those constituents.

1520

#### FIREARMS SAFETY

**Mr James J. Bradley (St Catharines):** I have a petition, from a number of people in my constituency and other constituencies, that I've been asked to read by the Ontario Federation of Anglers and Hunters. It reads as follows:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own,

"I/We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly as follows:



"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

#### ORDERS OF THE DAY TIME ALLOCATION

Ms Gigantes, on behalf of Mr Charlton, moved government notice of motion number 25:

That, pursuant to standing order 46 and notwithstanding any other standing order in relation to Bill 120, An Act to amend certain statutes concerning residential property, the standing committee on general government shall not proceed further with consideration of the bill and shall report the bill to the House on the first available day that reports from committees may be received following passage of this motion. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to be reported to and received by the House.

That upon receiving the report of the standing committee on general government, the Speaker shall put the question for adoption of the report forthwith, which question shall be decided without debate or amendment.

That one further sessional day be allotted to consideration of the bill in committee of the whole House. All amendments proposed to be moved to the bill shall be filed with the Clerk of the assembly by 4 pm on that day. Any divisions required during clause-by-clause consideration of the bill in committee of the whole House shall be deferred until 5:45 pm on that day. At 5:45 pm those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee of the whole House shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto and report the bill to the House. Any divisions required shall be deferred until all remaining questions have been put, the members called in once and all deferred divisions taken in succession.

That upon receiving the report of the committee of the whole House, the Speaker shall put the question for adoption of the report forthwith, which question shall be decided without debate or amendment.

That one hour be allotted to the third reading stage of the bill. At the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment.

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes and no deferral of any division pursuant to standing order 28(g) shall be permitted.

**The Acting Speaker (Mr Noble Villeneuve):** Is it the pleasure of the House that the motion carry? No.

All those in favour, please say "aye."

Debate. The honourable Minister of Housing.

**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker: Perhaps you could help me on this. Is

this what you refer to as a closure motion, preventing further debate? I just wanted to get that clarification. Is the motion a closure motion?

**The Acting Speaker:** I'm sure it's up to the member to draw his own conclusion.

**Hon Evelyn Gigantes (Minister of Housing):** It's my understanding that there is agreement among the House leaders that there will be a division of time in the debate on this motion. I am therefore proposing to speak first for 20 minutes and to reserve for the member for Kingston and The Islands the further 10 minutes of our time in the debate.

This motion is what is known politely as a time allocation motion, as our friend the member for St Catharines knows very well, and he knows the reason why the motion is necessary.

Bill 120 is a bill which represents an improvement in residents' rights in Ontario. It is a bill which has stood before this Legislature in debate and in committee for many months now. It warrants urgent attention because it provides rights for residents who have not had rights before in the province of Ontario.

The way in which it has been treated by members opposite in our attempt to move it forward has been one really of, to put it kindly, reluctance; certainly deferral. For example, in the clause-by-clause portion of the committee work which has been done on this bill so far in the standing committee on general government, we have had over 22 hours of discussion, but in the clause-by-clause work we haven't got beyond discussion of clause 2, nor have we completed discussion of clause 2. It indicates to you, Mr Speaker, the kind of delay that has been provided by members of the opposition as we tried to move this bill forward.

1530

It's a bill which has wide support among members of the public in Ontario, for very good reasons. It's a bill which provides rights to people who have not had them before, and they are people who very much need those rights. Unlike other tenants in the province of Ontario, those tenants who live in apartments which did not have appropriate zoning, and those apartments were in houses, did not have coverage and protection under the legislation which is designed to provide protection and coverage to tenants in all other rental units in Ontario.

Further, the bill addresses the rights of people who live in care homes in Ontario, those residences which, though permanent, provide elements of care service, which may be living supports, which may be food, which may be help supports of various kinds. These people too have not had rights that other tenants in Ontario have been able to use for many years, rights contained in the Landlord and Tenant Act, for example, rights contained in the Rent Control Act of Ontario and, for those residents of care homes, rights that are provided in the Rental Housing Protection Act of Ontario.

To speak first to the care homes situation, when our government was first elected, we asked Dr Ernie Lightman to follow up on some of the very tragic circumstances that had befallen people who live in care home

settings in Ontario and to do a report for the government. He found that there are almost 50,000 people who live in what have been called unregistered care homes in Ontario. Many of those are living in retirement homes which provide a very comfortable, secure and generally excellent living style for people who have retired. But in other cases, the places where people are living are places where they have been subject to great difficulty with their living situation, where they have been frequently evicted without due cause, where they have been living in unsafe conditions, where there has been inadequate care, where there has certainly been a lack of privacy. They've been denied the right to have visitors. There have even been instances of sexual abuse and real health and safety problems.

These problems Dr Lightman dealt with in very poignant detail in the report he provided to the government. He recommended most strongly that the government should take action to provide protections for people, many of whom are frail elderly people who may not feel in a position to exercise rights easily, people who have physical disabilities, people who may have developmental disabilities, people who have had experience in psychiatric treatment, people who generally are quite vulnerable to a living situation in which their rights are not protected and have not been in the past.

In the past, there have been exemptions for care homes under the Landlord and Tenant Act and the Rent Control Act. We intend to change that as a result of Dr Lightman's recommendations. Residents in care homes will have full security of tenure and privacy rights under the Landlord and Tenant Act. The Rent Control Act will apply to that portion of the monthly charge they pay which covers their living space, their accommodation.

The amount they pay for care services, for food, will not be covered by rent control, but we will insist that those charges, first of all, be known and well spelled out to people who are entering care homes; that they cannot be changed, except once a year; that they must be registered, once this bill is proclaimed, in the rent registry system of the Rent Control Act; and that they will be monitored over time by the government so that we can ensure that there is a situation in which people are not being charged outrageous rent increases.

Care home operators will be required to register with the rent registry, as I indicated, and this will enable municipalities and inspectors, both provincial and municipal, to ensure that maintenance standards are being kept up and to improve living conditions in many of the care homes.

As I indicated, most care home operations in Ontario provide a very excellent service, but the instances in which people have suffered abuse and indeed died in care home situations in Ontario have brought us to a situation where we feel it is urgent to take action.

The Rent Control Act will mean that operators of care homes will provide a full package of information to those living in care homes, outlining what services are provided at what prices, when increases will be allowed, and also describing staff qualifications.

Before there are any increases in care service

charges—I had previously indicated that could happen only once a year—there will have to be 90 days' notice. It will also be the case that in order to change the use of a care home, an operator will have to abide by the elements of the Rental Housing Protection Act.

The second group of people to whom I referred are people who live in apartments in houses. We estimate that in Ontario currently there are somewhere near 100,000, maybe 110,000, units of apartments in houses which are illegal because of their zoning. They may also be quite unhealthy and unsafe. We have seen instances recently where there have been tragic deaths in two cases of mothers and young children in basement apartments which did not provide adequate egress in an emergency situation. They couldn't get out when the place caught fire.

We're very concerned about the safety and the health of these tenants. We're also concerned that there should be access in Ontario to the kind of affordable housing that is provided by apartments in housing. There is a market there, clearly, which is being met illegally as far as zoning goes. What we want to do is to remove that element of the situation in which apartments in houses exist, bring those apartments in houses out of the underground economy into the light of day and have them meet health and safety standards, which will mean there will be an end to the kinds of conditions which created hazards for tenants in the past.

We're very anxious to see this happen now. We feel that the amendments to the building code which were undertaken last year, in July, particularly designed to deal with standards associated with apartments in houses, and also the draft regulations to the fire code of Ontario, which again have been developed and consulted upon widely among experts in the field to ensure that standards are being created within apartments in houses which will address fire separation standards, emergency exits, the need for properly working fire alarm systems—all these things now need to be brought to bear so that people who live in apartments in houses will be safe.

We know that the passage of this legislation is not going to mean that overnight, as if with a magic wand, every apartment in every house in Ontario which had previously been illegal because of zoning will suddenly become safe, but we do know that if we bring them out into the open economy, those property owners and tenants who have in the past been absolutely unwilling to get in touch with the appropriate officials to discover, for example, what the fire safety measures should be in that apartment in the house will now come forward. Tenants will be able to do that feeling assured that they won't be evicted simply because the apartment is in a zone which is inappropriate.

1540

There's been a lot of discussion around this legislation and there's been some misunderstanding about the legislation. We've certainly made every effort to clarify as far as we could, particularly with municipalities, what this bill will actually do. The bill says that a property owner who wishes to install an apartment in the house has a right to do so. The property owner must go to the



municipality, get a building permit and build an apartment which meets both the building code and the fire code requirements, and it will be inspected.

The municipalities have been reluctant to give up their zoning power and in some cases I think have misunderstood the degree to which this is a change in their zoning authority. The only element which is changed by Bill 120 is that municipalities will no longer be able to designate zones in which it is illegal to build an apartment in a house. In all other matters of zoning that affect a particular property, including the setbacks, the yard plans, the site plans and all the normal kinds of zoning and planning requirements, municipal authority will remain, including reasonable standards for parking requirements.

So we're not proposing a total removal of municipal responsibility and interest in this area. We are simply saying that in order to bring these apartments out from the underground economy into the light of day, where we can hope to begin to institute a situation in which health and safety matters are being attended to properly, we have to remove that power of a municipality, which has been widely used in Ontario, to say that "In these zones there shall be no apartments in the houses."

We have also provided in the legislation increased powers for municipalities to enforce standards within apartments in houses. Previously, if a municipal inspector were to enter a property, that inspector would have to indicate to a justice of the peace what evidence he or she intended to seize in an inspection. That requirement has been removed. It will now be much simpler for municipal inspectors to enter. In fact, we expect that the really critical element that will improve the situation for entry of municipal and fire officials in the future, after passage of Bill 120, will be the fact that they will be welcomed by tenants. And there will be many property owners who will also welcome them and who are very anxious to make sure that the apartments which currently exist within their houses are brought up to standard.

The bill also provides power for municipalities to enter into extended agreements with property owners for the placement of what we call a garden suite, commonly known as a granny flat, on a property. That must be a building which is dependent for its services on the main building on the property and which can be removed. We've given municipalities the discretion. They can choose to do it or not to do it as they please, to enter into 10-year agreements with property owners where previously they could only enter into three-year agreements. That will provide, both for municipal purposes and for the property owners, a much more stable situation in which granny flats can be developed in Ontario.

The act also provides that for zoning purposes, it will be the case that unrelated people who share living accommodations in a single housekeeping unit will be treated the same as the traditional family. This goes back to ancient arguments, and we seek to clarify it in Bill 120.

What we have done here is to provide for two groups of tenants in Ontario, those in care homes and those in apartments in houses, rights and access to rights under the Landlord and Tenant Act providing security of tenure

and also, under the Rent Control Act, providing some discipline of cost increases and access to mechanisms for making sure that maintenance is kept up to decent standards. This will be the first time these two large groups of people who rent their homes will have access to those rights.

Both these bills have been through extensive consultations, and there have been some changes in the bill that was originally introduced as Bill 90 in June 1992, which affected only those tenants who live in apartments in houses. We, as ministers, Ed Philip, the Minister of Municipal Affairs, and I met with numerous representatives from municipalities, and the ministries received large numbers of briefs and met with groups, and we did make changes to the draft legislation.

Rural municipalities had been concerned about the fact that apartments in houses would be developed where there were septic tanks and that might place a strain and an environmental problem might arise. We have adapted the bill to say that apartments in houses will not be as of right where a house is dependent on a single septic tank.

We also heard from building and fire officials that it would be reasonable to have changes done under the Fire Marshals Act and the Ontario Building Code rather than through the Planning Act, and we've acceded to those recommendations.

The office of the fire marshal, as I mentioned, did set up a task force to develop new standards for fire code provisions within apartments in houses, and, as I mentioned also, the Ontario Building Code was amended last summer to provide for standards for apartments in houses. Public support for these two pieces of legislation, which we've brought together under the familiar title of residents' rights, has been very strong.

The Ministry of Housing undertook a survey back in the fall of 1991 which indicated that when you asked people in Ontario, and this was throughout Ontario, whether they objected to having a neighbour develop an apartment in the house, 70% of people said no. That finding was borne out time and again by surveys which were undertaken by municipalities themselves in the context of their work to update their official plans, to bring them in line with our housing policy statement in Ontario.

We found that even in suburban areas, such as one you're familiar with, Mr Speaker, the Kanata area of Ottawa-Carleton, when people were asked, "Do you object if your neighbour develops an apartment in the house?" roughly 70% of people said, "No, we don't mind."

It makes sense, from all kinds of points of view, that that would be the case. People understand that there is a market for apartments in houses. They feel very strongly that they should be made safe for the people who live in them. They also understand that for older people, or for younger people just purchasing a home, the development of an apartment in a house can provide both a source of income, which may be very welcome indeed in the household, and also a sense of security of knowing that there's somebody else in the home.

It makes sense from all those points of view and also from the point of view that once we have a requirement for a building permit for the establishment of apartments in houses as of right there will be increased use of contractors and builders, and we will see increased economic activity as a result of the passage of this legislation.

1550

On the care home side, not only Dr Lightman but hundreds of people around this province have been in touch with us over the measures that are proposed within this legislation. Among the most vulnerable people in our province are the people who live in care homes in Ontario.

There has been a very sad history of lack of standards and lack of rights for people who live in care homes. Dr Lightman made it very clear when he did his report that the key to providing a better future situation for people in care homes was to provide them with rights that they could use. He said it was critical that we address the fact that there was no protection under the Landlord and Tenant Act and no protection under the Rent Control Act for people in care homes.

There has been some misunderstanding of this legislation. We've had numerous letters from care home operators who operate what are commonly known as retirement homes, where people can afford a fairly good price to find a comfortable place to retire and have good social surroundings and a good level of services and feel very content. Some operators have determined that they don't care to have this kind of legislation developed and have encouraged some senior citizens to feel anxious about the passage of Bill 120.

I would like to take this occasion to assure you and to assure any senior citizens who may be watching this debate that their lives will continue in the comfort and in the manner to which they have become accustomed. What Bill 120 will be doing is ensuring that they, like other tenants, have access to rights that exist for almost all tenants in this province under the Landlord and Tenant Act and the Rent Control Act.

**The Acting Speaker:** The government party will have approximately six minutes to sum up. We now go to the official opposition.

**Mr Joseph Cordiano (Lawrence):** I am very unhappy that I should rise on this occasion to have to deal with what amounts to an effort to do away with democratic procedure in this House.

**Hon Ms Gigantes:** Twenty-two hours for two clauses.

**Mr Cordiano:** The minister is sitting in the House. It's unfortunate because just as we were beginning to see the light and just as we were beginning to make some headway—in fact, the minister gave me every indication that she was beginning to understand the position that our party had put forward and that we had discussed at great length in committee, but certainly did not do justice, nowhere near the kind of time that was required to even begin to examine this very detailed omnibus legislation.

I would remind everyone who is observing today that this, after all, was an omnibus piece of legislation, two

distinct pieces of legislation, one dealing with accessory apartments and one dealing with residents' rights in care homes, brought together in a very convenient fashion in order to expedite the government's legislative agenda.

After all, there is really no reason why we should be dealing with this matter in a closure motion by the government. All members of the committee were quite involved in the proceedings and were actually very informed and very cooperative and had become quite knowledgeable about the very difficult and complex issues that we were beginning to deal with on that committee with regard to this piece of legislation.

I see that the parliamentary assistant is here in the minister's place, sitting in the Legislature. I would remind him, and he was a member of the committee, that at the end of the day even the members on his side of the committee had every reason to question the details in the bill that was before us. In fact, they did question various aspects of the bill. Mind you, we only got to the second clause of the bill and we had not completed that.

I think it speaks to the very importance of this legislation and the degree of complexity with which this legislation deals that you need ample opportunity to examine to the fullest the details around the legislation. After all, we're talking about legislation which affects many thousands of people, hundreds of thousands of people actually. I say to you that when that many people are involved, I honestly believe the Legislature must complete its process of examining legislation in its fullest and give voice to democratic expression, give an opportunity to people to come before the institutions that govern them and to have the input that's necessary so that, at the end of the day, no one can stand up and say that this government blocked their voice, that this government did not want to listen to the very real concerns people had expressed before the committee.

In fact, that's what ends up happening, and I say to my friend the parliamentary assistant that at the end of the day there will be people who will come forward and suggest that they did not have an opportunity to come before the committee. I tell you that because we even restricted the number of people who did come before us, who did appear before the committee, so as to expedite the legislation. I believe that at the end of the day, out of a list of 230 requests to appear before the committee, in fact only 150 actually were invited to appear before the committee.

Dealing with this legislation, I point out again that this was omnibus legislation, two disparate pieces of legislation which had very distinct and very detailed matters before each of them, dealing with sectors that are really unrelated, the home care sector and people living in rooming houses, people living in homes for the aged and rest homes, trying to deal with their concerns around residents' rights, and throwing them or lumping them into a bill which deals also with accessory apartments and includes a variety of acts, the Planning Act and various other acts, changes to the building code, amendments to the fire code.

We're talking about a series of complex matters that had come before this committee to be dealt with in a



fashion that I thought was very appropriate, and that was to deal with each clause in a meaningful way, to have debate in a meaningful way.

I would say to the minister that at the end of the day Bill 120, the legislation making accessory apartments legal as of right, leaves a lot to be desired for our party. We have repeatedly suggested to the minister—in this House and in committee I have tried to suggest to her—that this legislation is indeed flawed, that at the end of the day, because you legalize accessory apartments and make them possible as of legal right, that does not make them safe places in which to live.

We've said this repeatedly and our leader has on many occasions, in this very Legislature, asked that the minister seriously consider our amendments to rectify the situation that currently exists in Bill 120 and is now going to be dealt with in a guillotine fashion before this House.

We are deeply concerned, and this is a serious matter, that accessory apartments, in particular basement apartments that are below grade, underground, that have inadequate fire safety provisions, have inadequacies that do not make them live up to safety standards, and there are thousands of those. Over 100,000, by the minister's estimate, basement apartments currently exist in an illegal state. Of those, it is estimated that perhaps half do not meet the necessary requirements for safety, do not meet building code requirements, do not meet fire code requirements, current codes.

1600

I say to the minister that to simply suggest that by passing legislation, as she has, making these units legal as of right, permitted use, and removing the exclusions as a result of zoning that currently exist do not make those units safe.

We have had repeated examples come before us, and I don't want to bring this up in a negative light, but I am concerned that because the minister cannot ensure that all these units will be brought up to the safety requirements, will be made safe, that these units will meet safety code, fire code and building code requirements, then in fact these places will not be safe places to live. I am concerned that the way in which the minister explained this will not result in the further completion of those units to be brought up to safety standards. It simply will not happen.

I think it's a fallacy, it's a myth the minister puts forward that because these units will now be able to exist as of right, tenants will no longer feel that they're living surreptitiously or have to hide behind some fear that they're living in a unit that is illegal, they'll come forward now, after Bill 120, to demand that their particular unit be brought up to those safety requirements, and that they will meet the building code, that landlords will now go out as a result of Bill 120—this is where the argument really breaks down and this is why I cannot accept the minister's proposition that after Bill 120 these units will in fact be made safe.

Landlords will now be expected to go out and renovate their units to bring them up to standard, in some cases costing anywhere between—some estimates were \$5,000

to \$7,000 per unit to bring those basement apartments up to standard; that landlords now will have some incentive to go out and spend this kind of money to bring their units up to those code requirements; that there's a willingness on the part of landlords to do this—that's the first assumption—secondly, that if landlords aren't willing, tenants will somehow be made aware of the fact that they may be living in an unsafe condition in a basement apartment which requires a number of renovations to be made to be brought up to standard.

I ask the minister: How is it that a tenant will become knowledgeable in fire code requirements, knowledgeable in the fire code, knowledgeable in the building code, that he or she will be able to make a determination that they're living in an unsafe unit and then go out and report this, call the fire marshal's office and ask that the fire departments around the province come and make an inspection of the unit so as to make this determination about whether a unit is safe or not? That's quite a leap, I've got to say.

I would submit that most members in this fine Legislature of ours, being as knowledgeable as they are about a number of matters, would not be aware of what's in those codes, and that the average person could not be expected to be knowledgeable enough to make a determination about what is safe and what is not. Of course, there are some elementary factors, such as smoke detectors; everyone would be able to make that determination. But there are other things, such as the size of a second opening, in a window. To expect the tenants are going to be knowledgeable enough to even question whether their unit is safe or not is a giant leap that I believe is impossible to make.

I say to the minister, and I've said this over and over again, that to leave this circumstance to the chance that a tenant will recognize that he or she is living in an unsafe unit, even though that unit may be cosmetically pleasing—the unit has been nicely renovated, there's excellent carpet on the floor, brand-new carpet, all the walls have been renovated etc, but at the end of the day that unit could still be an unsafe place to live and could be a firetrap.

Simply, for example, the height of the unit, from the floor to the ceiling, may not be sufficient to meet the code. I've already suggested that the opening in windows has to be of a certain size to meet those code requirements. Failing that, that unit is still unsafe.

Just as I was preparing my notes for the committee meeting on Thursday of this week, we were still dealing with the clause around registration which we have put forward.

*Interjection.*

**Mr Cordiano:** Yes. My good friend and colleague the member for Don Mills will be standing up to speak on this matter; he was on the committee as well.

Just as I was getting ready to do that this week, to make further elaborations and to try and extend an opportunity to better the legislation that was before us, down comes that cold, cold—I could almost feel it on my neck—action by the government which cannot be

described other than as a guillotine dropping on the very thing that we so much cherish around here, and that is democracy.

I believe this government has lost every democratic principle that it ever had, and the ironic thing is that this party that now governs uses that word in its own name, the New Democratic Party. I think that's an oxymoron. I would describe it in that way because the way this party has been governing bears no relation to that word "democratic," and I think it's getting further and further away from that.

**Hon Ms Gigantes:** Twenty-two hours for two clauses.

**Mr Cordiano:** Absolutely not. I might say that at no time did the minister indicate that she was perturbed by the debate that was ensuing. In fact, she engaged me in debate over these very substantive matters. Her responses were quite lengthy and I was prepared to sit there and listen. At no time did she say, "I should remove myself from this debate." No, she encouraged it, and I thought we were reaching some mutual understanding about this section when it was cut off, to my immediate surprise.

1610

I was shocked to learn this morning that we were dealing with a time allocation motion because I thought, just as we were beginning to quite frankly see eye to eye on the matter before us—we didn't agree on everything, of course; that could never happen—there was this automatic motion by the government to deny any further debate.

I find that is a shame, particularly, and I say this in all seriousness now, because we did not reach that part of the bill which dealt with Dr Lightman's recommendations in the main, and that most of those parts of the bill have simply been brushed aside and we will have to deal with them as we deal with everything else around here, after it's passed by this government pushing it through with its majority. We'll have to deal with them on the hustings, to talk to the people of the province who are interested in this legislation.

I might add that many, many people were interested in that part of the legislation. I, myself, had suggested to the minister that many of the recommendations put forward by Dr Lightman were very much appreciated and well received by our caucus. In fact, we felt that many of those recommendations should be proceeded with. There was some general understanding of that and some general agreement on the part of all members of the committee. Unfortunately, that was not given the kind of fulsome debate that was necessary—

**Hon Ms Gigantes:** Ah.

**Mr Cordiano:** I say, we only dealt with two clauses. The minister was very much a part of those debates and it certainly could not fall on us to disengage her from the debate, certainly not. I would not ask her to leave the room so that we could expedite the process. Surely to God, she did not expect us to do that. I say to my friend the member for Don Mills, certainly she could not have expected that—

**Mr David Johnson (Don Mills):** Absolutely not.

**Mr Cordiano:** —that we should just simply not make

commentary on this legislation and allow the bill to proceed without any kind of debate.

**Mr David Johnson:** With all the opposition to it.

**Hon Ms Gigantes:** A little value added for your pay.

**Mr Cordiano:** Minister, that's stretching it a little far. I think we have made constructive amendments to the legislation thus far and we only got through two clauses—we didn't even get through two clauses.

**Hon Ms Gigantes:** You didn't tell that to your constituents: 22 hours for two clauses.

**Mr Cordiano:** What's 22 hours in the life of a Legislature, for a bill that is as significant and of such tremendous interest that was expressed by the residents of Ontario? I will repeat that: 230 requests for appearances before the committee and the committee could only accommodate 150 of those submissions for public appearance. So that already cut down on the number of people who made presentations.

This was not unusual or abnormal; it was not. I think that giving people their due, giving people their democratic opportunity to express their views on legislation, as I say, that is of such importance and significance to all the people of the province, and was demonstrated as much by this government having put forward this legislation in what amounted to an expedited fashion, given the way that it combined the legislation and made it an omnibus piece of legislation.

At the end of the day, they can't have it both ways. They can't say: "This is important legislation but we don't want to discuss it. We want to just get it through the House, ram it through, so that we can say we pass legislation." I say that's not good enough. There are certain matters in this legislation that need to be looked at with great detail. We started to do just that and I think that great progress was made. We, I think, had several areas—

**Hon Ms Gigantes:** We didn't finish clause 2.

**Mr Cordiano:** We didn't have a chance to finish it.

**Hon Ms Gigantes:** We didn't finish clause 2.

**Mr Cordiano:** Minister, I say to you, you didn't even get a chance to read the rest of my amendments, which I'm sure you would have found delightful and acceptable.

**Mr David Johnson:** Almost as good as ours.

**The Acting Speaker:** Order, please. The member has the floor.

**Mr Cordiano:** Well, Mr Speaker, I was just trying to tell the minister that there were certainly a number of other things she would have found interesting and it's unfortunate that we couldn't discuss them in committee.

**Hon Ms Gigantes:** So funny.

**Mr Cordiano:** A little humour isn't going to kill anyone, Minister. I say to you that what we're talking about is serious, but at the end of the day, you're telling us that it wasn't serious enough to be dealt with by elected members of this House, and I take that with great offence, because what input was given by members of the opposition was done with a great deal of thought, was done with a view in mind to be constructive, and I say to the minister, I think we did that and I think she would



want to admit that. I think at no time did we try to obstruct and at no time was there any element or intent to attempt to foul up the process. This is why I found this—

**Mr Randy R. Hope (Chatham-Kent):** Say that with a straight face.

**Mr Cordiano:** Well, I am saying it with a straight face, because I absolutely believe that. I spent a lot of time and effort, and so did all those hundreds of people who came before the committee, and if the minister wants to tell me today that this is unacceptable that we have our say, that it was unacceptable that we make constructive, value added, as she liked to put it earlier, positive amendments—and in fact she accepted one of our amendments.

This is why I find this situation so startling, in fact so shocking. I think we made some very positive contributions to the legislation. We dealt with it in the spirit that it deserved. A great deal of seriousness and a great deal of thoughtfulness went into the suggestions we made, and I think for her to try and deny that would be less than truthful.

I say to you, Mr Speaker, I will turn to my colleague in just a moment, but I would like to say to the minister and for those who are listening that we have serious concerns with the matter of safety. We always have made this the issue around basement apartments, and in fact we have made constructive suggestions for amendments.

We have repeatedly called for the registration of these units so that they be properly inspected, because failing to inspect these units would mean—and I think this is what we find so disturbing, failing to ensure that all of these units are inspected. After all, they currently exist.

But, firstly, we don't know where they exist, and that is why we've called for registration under the act, that all of these units be registered so that we can identify where they are, and that all of these units then be inspected so that we can ensure that they meet the codes, the code requirements, to ensure that they are safe places in which to live.

After all, it's unacceptable to have even one unit that is unsafe that exists out there because there was a failure on the part—and I would say this—of the government to ensure that these units have gone through a proper process for proper inspections to be made, because then, and only then, can we guarantee that these units are safe.

Failing that, I would say to the government that it is negligent, that it is acting in a negligent fashion, leaving to the mere whim and happenstance, on a chance, that at the end of the day, as I have described earlier, these units will be reported by either a tenant, a neighbour or someone else to the fire department because this tenant was aware of what was in the code and made a determination that his or her unit was unsafe. And that's preposterous, to expect that a tenant would have that kind of knowledge about a building code or fire code and be able to make an assessment that his or her unit was unsafe, and therefore put the burden on the tenant to be that knowledgeable.

Now, the minister has said in committee that they're

going to introduce an educational program to educate the public about what is in the building code and the fire code. I think that's absurd. They couldn't spend enough money, and this could not be done in an appropriate and timely fashion to ensure that these units are safe. Years will go by. Those units will still exist out there in an unsafe fashion; legal, as of right, according to zoning bylaws, but certainly not safe. That I find to be unacceptable.

1620

At the end of the day, our amendment dealt with that. Our amendment was a constructive, positive suggestion to the minister designed to deal with safety first, because we put the lives of people and their concerns around safety as a priority in all of this. As we heard from fire chiefs across the province, the kinds of fires that occur in basements are much more difficult to fight than fires that are above ground. Fires below grade are much, much more difficult to get to and much, much more difficult to put out. For those people living below grade, we must ensure that their units are safe.

That's why I cannot understand why this government has refused to look at a simple registration process which would allow for cost recoveries on the part of municipalities. After all, AMO, the Association of Municipalities of Ontario, suggested that there be registration of these units so that they can then go about the business of inspecting these units, so they can make these safe places in which people could live in their own municipalities. This is what we heard from AMO, representing over 800 municipalities across the province. To suggest that these ideas came out of thin air is incorrect. To suggest that they weren't based on some thoughtful process is incorrect, is untrue.

At the end of the day, I say with a great deal of concern that Bill 120 will pass and that some time down the road there will continue to be the existence of—legal now, as I said before—accessory apartments continuing to exist in an unsafe condition.

That is our biggest concern and that is why at the end of the day I cannot accept this time allocation motion, this guillotine action by the government to cut off debate around a matter which is of great importance to not only those people who live in basement apartments and the people who live in rest homes, retirement homes, homes for the aged and rooming houses. It is important for all of us, particularly around Dr Lightman's recommendations, because after all, these were vulnerable adults. To suggest that this was to be dealt with in an expeditious fashion without real thought being given to this—

I'd like to get into discussion around the recommendations made by Dr Lightman and some of the concerns we have. We've put forward amendments and I'm hoping that the government will still accept some of these amendments when we get into committee of the whole, because they're necessary. They speak to a variety of issues, a variety of concerns which have been expressed throughout our hearings. I suggested earlier that one of our amendments was accepted. It was an exemption dealing with an 18-month provision, having extended it from six months, during which homes that provided care

would be exempted from provisions of the Landlord and Tenant Act.

I don't have enough time to get into the details of that, so I will turn to my colleague who awaits his turn to speak next.

**The Acting Speaker:** Further debate?

**Mr Allan K. McLean (Simcoe East):** I welcome the opportunity to say a few words today with regard to the time allocation motion that's before us. Once again, this government is using the undemocratic process of invoking closure on any form of reasonable, logical or decent debate that's taking place. We wanted to discuss more of Bill 120, An Act to amend certain statutes concerning residential property, but this government tends to fall back on closure far too often to deal with its own legislation rather than taking the time to listen to the very real concerns and the very real problems facing the people of Ontario.

I remember standing in this House on different occasions speaking on closure motions. I remember when the government was in opposition. The Treasurer at the time, Mr Nixon, wanted to present his budget and the members of the NDP put up a real fight and caused chaos within this Legislature. Mr Nixon ended up presenting his budget outside the doors. These are the very people you would never think would want to bring in closure motions. Could you imagine what they would do if there was another party in power bringing in closure motions?

Once again we have a case here in which many members of my party wanted to participate in the Bill 120 debate, wanted to bring the concerns and views of their constituents to the attention of the government, but they are being denied the opportunity to work effectively on behalf of the people who elected them to represent them here at Queen's Park.

This government has used closure to cut off debate on important legislation like Bill 120 today, and photo-radar; they used it last year on that. They choose to put a lid on free speech, so to speak, and set about to overregulate the people of this province. This overregulation takes the form of Bill 40, the job-killing bill which amended the Labour Relations Act. It's another example of a government that has no regard for the social and economic consequences, and it is symbolic of the anti-business, anti-job, anti-worker, anti-prosperity agenda that has prevailed with this government.

This is the same government that just doesn't care that thousands of jobs will disappear because of the negative impact of Ontario's labour laws on CN rail's plans to abandon a number of short lines in Ontario. I'm certain the closure of these lines will have an adverse impact on millions of dollars worth of investment and thousands of jobs throughout the county of Simcoe.

**Hon Ms Gigantes:** On a point of order, Mr Speaker: I wonder if you could remind the speaker what the motion is that we're debating.

**The Acting Speaker:** I want to remind all members that we are dealing with government notice of motion number 25.

**Mr McLean:** I'm glad the minister is listening. She

didn't talk totally about the motion either. She talked about Bill 120 and some other aspects of planning in Ontario. For her to get up and say that I'm not dealing with what's before the House today—I certainly am. If she wants to talk about jobs with regard to the closure motion, I want to discuss it. I want to talk about the 80 jobs at Stepan Canada that are being lost because of their anti-business agenda. I want to talk about the potential that the provincial government can cause an impasse with the stroke of a pen by amending labour legislation. Instead, the government chooses to run roughshod over the opposition parties by invoking closure on a piece of legislation that many people are clearly opposed to.

Frank Johnson of Brechin is clearly opposed to Bill 120. He wanted me to bring the following information to the attention of a government that wants to ram through a piece of seriously flawed legislation. His concern is: How will a basement apartment be made legal and be fire-protected? Will all homes on water and sewage be able to have a new apartment?

I hate to do this again, but I want you to think back to the news release issued by Bob Rae on August 19, 1990. This news release was about a document titled An Agenda for People, and the second paragraph reads: "This is a great province. But how much greater it would be if it truly belonged to the people. Instead, we have a government today driven by a narrow and self-interested agenda, ignoring what needs to be done."

He should have at that time said, "If I want to get legislation through, I'm going to invoke closure." But no, he didn't say that. He didn't talk about that. Bob Rae wanted to talk about the former Liberal government, but he didn't talk about the current NDP government. It's really getting difficult to tell them apart. I must be thinking back to the old Liberal-NDP accord days.

1630

The government is trying its hardest to stifle the voices of people like Frank Johnson, the townships of Oro-Medonte and Severn and Tay and the town of Penetanguishene and the city of Orillia by cutting off debate. But I was elected to present the concerns of my constituents to this government, and I'm going to try to be right up front with regard to the views that have been presented to me.

"In late November, the Ontario government introduced Bill 120, legislation of concern to you because it proposes to make retirement homes subject to housing legislation, specifically, rent control and the Landlord and Tenant Act....

"For the last few years, we've been trying to warn the government that putting retirement homes under housing legislation would cause serious problems in the day-to-day running of retirement homes and for the residents living in them....

"The government, however, has ignored our warnings and Bill 120 will become law this spring. The following is a brief summary of the major problems created by the legislation:

"The legislation will not allow us to move a resident out of the home if that person does not want to move,



even when a speedy move is necessary to protect that person or other residents. The legislation would cause problems if a resident requires more care than we can provide or becomes a threat to other residents.

"The legislation does not allow for temporary stays, for example, while a resident is recuperating after time in the hospital, while receiving outpatient treatment, or while the family is away or unable to provide regular care.

"There are a range of other problems that would affect how we operate our home and how we provide the services and setting to which you are accustomed."

"Retirement Homes Calls For Amendments To 'Misguided' Bill 120," January 18, 1994. "Bill 120 is a misguided approach to regulating the residential care sector and will create problems for residents because the bill's housing legislation does not recognize situations unique to care-based retirement homes, the Ontario residential care association today warned a government committee reviewing the bill."

The township of Severn is so opposed to Bill 120 that it approved the following resolution:

"Whereas Bill 120, as introduced by government of Ontario, is in blatant disregard for the rights of citizens in Ontario who have purchased homes relying on the protection of municipal official plans and zoning bylaws; and

"Whereas it is the opinion of this council that such disregard will bring about a reduction in property and assessment values with such 'R1' zones; and

"Whereas it is the belief of the council that the rights of individuals owning properties within such 'R1' zones should be preserved and protected and continue to be subject to the due process of zoning amendment procedures; and

"Whereas this municipality has recently experienced near fatalities due to fires in basement apartments, it would be detrimental to public safety to follow through with Bill 120;

"Be it resolved that this council register its strong protest to Bill 120 to the Premier, the Minister of Housing, AMO, all urban centres in Ontario and...MPPs...and that all interested citizens be encouraged to take similar action."

The township of Oro-Medonte also wants you to know there's opposition to Bill 120 in that municipality, and that council passed the following resolution:

The council, at its regular meeting of February 16, 1994, said:

"Be it resolved that the correspondence from the town of Tillsonburg requesting endorsement of resolution expressing opposition to Bill 120 which permits two residential units within a dwelling be received and the council of the township of Oro-Medonte support the said resolution and, further, a copy of the same be sent to the Premier, the Minister of Housing," myself, "and the town of Tillsonburg."

I wonder if the minister ever got those. From what I gather within the committee, there certainly wasn't a lot of debate with regard to the opposition to the bill.

On March 9, the township of Tay passed the following resolution because that municipality too has serious reservations about Bill 120. The council of Tay "at its March 9, 1994," just a little over a month ago, "regular meeting passed the following resolution with respect to the above-noted matter:

"That the township of Tay supports the resolution from the town of Tillsonburg in opposition to proposed Bill 120 and support for same be forwarded to the Premier, Minister of Housing," and the same as the ones before.

"Tay council trusts you will consider these comments when Bill 120 is considered in the House."

I have some other comments here with regard to the government. They want to cut off debate. After election officials informed the staff of the town of Penetanguishene, and they reviewed Bill 120 very carefully, they reached the following conclusions:

"Since the enactment of Penetanguishene's 'accessory apartment' policy, things have worked quite well and no problems have arisen. Therefore the phrase 'If it ain't broke, don't fix it' seems appropriate, because Bill 120 proposes to expand the 'two residential units per house' principle to semi-detached dwellings and row housing.

"As the Association of Municipalities of Ontario (AMO) has indicated in its policy response to Bill 120, the inclusion of row houses will only arouse public anxiety, raise expectations for would-be converters and force municipalities to go through excessive administration to ultimately exclude them.

"The AMO policy response also points out that despite the government's position that the two parts to Bill 120 (ie, care homes and apartments in houses) are related issues, they are significantly different and it is inappropriate to combine the two of them."

Many, many municipalities have raised issues with regard to Bill 120. Yes, this government wants to stifle free speech and informed debate on a piece of legislation that elected officials and staff at the city of Orillia, the Sunshine City, found sadly lacking. A committee of council for the city of Orillia reached the following conclusions about Bill 120:

"That council endorse the expression of concern by the town of Tillsonburg and, further, that the Minister of Housing be advised of the following concerns of the city....

"(1) The proposed legislation represents a significant encroachment by the province on the traditional planning responsibilities of municipal government. The changes to the Planning Act proposed in Bill 120 represent a major, unilateral revision of local policies and how they are applied. Such revisions are being made without regard to local conditions and without recourse to an independent body which the planning process has traditionally provided for in this province.

"(2) While recognizing the need for the provision of adequate, affordable housing, municipalities must be able to have some control over all types of land use, including accessory dwellings. Otherwise they will be unable to mitigate the impacts on adjacent uses and on services and facilities, including the provisions of water and sanitary

sewers and treatment, parking, schools, parks and recreation facilities....

"(5) The nature of the 'municipal approvals' required for the demolition, conversion, repair or renovation for a care home should be clarified, as the application of the process under the Rental Housing Protection Act, if similar to the process for the conversion of a rental building to condominium ownership, would be onerous, particularly where a small number of events (even just one) is involved."

We have small villages like Coldwater and Elmvale. Coldwater has a sewage system that needs to be upgraded. They cannot proceed with further subdivisions within that municipality. Yet what this government is saying through Bill 120 is, "Yes, you can have an apartment in each one of your residences within that village."

Is that what the ministry is saying? Is that what the ministry is going to allow to happen? If it does, what's going to happen to the sewage system? Who is going to have control over the planning of that village? Is it going to be the municipality or is it going to be the province?

1640

Elmvale village put in a new water and sewage system for expansion. If every one of those homes in that village adds to or approves every illegal apartment, but adds to mainly, is their water system then going to be up to standards? There are a lot of concerns here with regard to making them legal, but also allowing them to add an apartment in every home.

There is some background with regard to the report with regard to the Joseph Kendall inquiry. He was a resident in an Orillia rest home at the time of his death. I attended that coroner's inquest with regard to the causes of those deaths in homes that were unregulated, where nobody was really monitoring what was happening there, so I see some aspects of some regulations to effect that those homes are regularly inspected, regularly under some control of a ministry. But to have that part of this legislation with Bill 120 I don't believe was an appropriate thing to do. I think it should have been some separate legislation under the health act that would have allowed inspections of those facilities, whereby some of the deaths that have taken place, because of unsanitary conditions or because of some of the problems within those homes, would have been looked after.

I want to thank you for giving me the opportunity to comment on this motion for closure and on Bill 120 that this government want to ram through the Legislature. My constituents want me to tell you that they are opposed to Bill 120 because it concentrates more on security of tenure over the security of care. This government won't let the people in Simcoe East speak any longer so they've asked me to be their voice at Queen's Park. It is an honour and privilege to speak on their behalf, but I hate to have to speak on their behalf when we're facing closure motions in this Legislature.

I remember when one of the NDP members one time spoke for 17 hours. I don't think anybody needs to speak that long. I think speeches can be short, but I do think

that all members should the opportunity to speak on behalf of their constituents, and I was pleased to have that.

**Mr Gary Wilson (Kingston and The Islands):** I'm very pleased to join in this discussion on the time allocation motion. I follow upon a speaker who questions the amount of time that is needed here. I want to point out that we spent 22 hours on getting to the second clause in this bill, Bill 120, and I just wonder where the member for Simcoe East was when we were going through this exercise, which was getting us nowhere.

Certainly there are residents in his constituency, because there are residents across the whole province, who are benefiting from this bill and who have told us in the vast public consultation that we carried out both before the bill was drafted and then through the public hearings—remember, on top of the 22 hours of clause-by-clause that we were working on in this bill, we still had four weeks of public hearings into the bill.

There has been a vast amount of public consultation on this bill and we know a vast amount of public support for it. In fact, the people of Ontario want us to get through this bill and this is why we are taking this measure now of time allocation. As I say, I'm disappointed that the member for Simcoe East wasn't there pushing the committee to get this done.

What I would like to do is to focus on two specific areas just to highlight them, following the minister's very comprehensive discussion of the bill, and I'd just briefly like to say how much I appreciate the minister's commitment to this bill, the vast amount of time she's put into it. The two areas I would like to talk about are, first of all, the public consultation that went into the development of the legislation and what this bill means to the people most directly affected by it, the residents in care homes and apartments in houses and the providers of the accommodation.

As far as the public consultation goes, as members are aware, draft legislation and regulations on apartments in houses were released for public consultation almost two years ago, in June 1992. Starting in the summer of 1992, the ministers of Municipal Affairs and Housing consulted extensively with the public. The two ministries received and studied over 1,500 briefs from individuals, municipalities, public sector organizations, ratepayers' groups, and tenant and advocacy groups across the province.

Staff from the two ministries met with more than 60 groups. The ministers also met with municipal councillors from Windsor, London, Stratford, Hamilton, Sudbury, Thunder Bay, Etobicoke, Whitby and Kingston, and the greater Toronto area mayors.

In regard to the care home provisions of this bill, it's worth noting that this government announced the establishment of the Lightman commission of inquiry in 1990, just two days after the release of the jury's report on the unfortunate death of a care home resident in Orillia—just two days after that inquest report.

The commission's work—that's the Lightman commission's work—lasted 18 months, during which Dr Lightman received more than 230 submissions from



interested groups, organizations and individuals. The commission also released a discussion paper, followed by public consultations in several communities across Ontario and private meetings with stakeholders and others interested in the issue.

During the hearings of the standing committee on general government, the committee received more than 300 submissions from interested organizations, groups and individuals on various aspects of the bill. About 60 of these submissions related to the care home provisions of the bill. Of this number, about 40% supported it while another 40% expressed qualified support. Those voicing qualified support were not opposed to the principles involved, but wanted to see some specific concerns addressed.

Of the submissions to the standing committee relating to apartments in houses, 69% were in favour of the bill while 39% were opposed. It's important to note that the people most directly concerned, the landlords and the tenants in these apartments, supported the bill's objectives. Again, the people most directly concerned, landlords and tenants, supported the bill's objectives.

I should also point out that the government went a long way to accommodate the real concerns it heard and made amendments at every step in the process to address these concerns.

There is one crucial fact that I can't emphasize enough: This has been a most inclusive process, providing sufficient opportunity for public input and listening to what people told us. The Minister of Housing has already referred to some of the changes we've made to reflect this point.

The bill has come through a very stringent public scrutiny, and today we can say there is widespread support for it among the people of Ontario. The reason for that support is that, as the minister has outlined, it's an idea whose time has come.

Let's look briefly at what this bill means to the people most directly concerned, the residents in care homes and apartments in houses and the people who provide these forms of housing.

First, as the short title of this bill clearly recognizes, this bill is about residents' rights.

With regard to care homes in particular, Dr Lightman found that residents in these homes are very vulnerable to abuse: eviction without notice, with one's belongings stuffed in a garbage bag; physical and sexual abuse; unsafe living conditions; inadequate care; lack of privacy; routine denial of visitors; and other health and personal safety problems. These are things that strike at the heart of the most basic human rights: the right to personal safety and dignity and the right to choose where and how one wants to live.

This bill will put an end to these types of abuse and care home residents will be able to enjoy the same rights and protection that all other tenants take as a matter of course today. This bill gives them the choice of where they would live and guarantees their safety, security and dignity.

In his report, Dr Lightman wrote about care home

operators for whom "it was a spiritual obligation to care for vulnerable adults, regardless of the personal or financial sacrifice."

**The Acting Speaker (Ms Margaret H. Harrington):** The member's time has expired.

**Mr Gary Wilson:** Finally, I'd just like to say, on behalf of the government, that I join with him in expressing our admiration for their commitment.

**The Acting Speaker:** I thank the member for his contribution.

**Mr Gary Wilson:** This bill will strengthen the hand of such people by establishing some ground rules for everyone.

**The Acting Speaker:** Further debate?

**Mr Tim Murphy (St George-St David):** I wanted to speak briefly to this yet another unfortunate time allocation motion. I have been approached on the topic of this bill by a number of organizations in my riding that have expressed concerns about aspects of the bill and wanted some amendments put forward. In the committee our critic has moved some of those amendments and was planning on moving and introducing—and may in fact have introduced; I believe he did—many more.

Unfortunately, because the government has decided that while it went out and had public hearings, it doesn't want to now take the opportunity to use those public hearings to improve the bill. They're shutting the process down. I want to get some of those concerns on the record.

1650

**Hon Ms Gigantes:** Twenty-two hours and we didn't get through two clauses.

**Mr Murphy:** I see that we've teased the bears again. There's a caterwauling from the government benches.

*Interjections.*

**The Acting Speaker:** Order. Members, come to order.

**Mr Murphy:** I see the government benches react unfortunately when they see the truth.

But I did want to mention Terry McCullum, the executive director of Anglican Houses, who has written quite a lengthy letter on behalf of his organization along with Julie Mancuso, the manager of adult programs, and expressed a concern specifically about two areas of the bill. One of them is the length-of-stay provisions and the other is the "principal residence" definition.

My understanding is that the committee has voted to change length of stay. I see the minister in the House and I hope she will ensure that modification stays in place. I appreciate those members of the government who did vote in support of the Liberal amendment.

Let me say there was also some concern about the "principal residence" definition and the impact on rehabilitative housing. I'm sure the minister is aware of that and I hope they will take that into account as well.

I also got a letter from a number of organizations jointly—Houselink Community Homes, the 90 Shuter Street Homes First Society, which is in the member for Fort York's riding, and Streetcity, which is a very innovative housing community in one building in my

riding—which expressed some concerns about the operation of the bill. I wanted to pass those concerns on.

In particular, they outlined concerns in four areas of the bill itself, which amends the Landlord and Tenant Act so that they will now come under its operation. Particularly, they were concerned about how threats of violence were going to be dealt with, as well as time delays, which, as I mentioned, has been to a certain degree addressed; reliance on the police for the eviction process—there was a concern about how that is going to be cumbersome and not very workable in that environment—and the balancing of the rights of community residents. I think there are some fairly valid concerns. I know this letter was sent to the minister in February directly, and I hope that she will respond to them.

I also want to note, finally, Toronto Psychiatric Survivors, which is a wonderful organization in my riding. Martha Gandier is involved and I believe made a presentation to the committee as well. They do some very wonderful work in my community, a community which I'm proud to represent. I've been in and seen them. She is pleased to be included in the Landlord and Tenant Act for three reasons, related to privacy concerns and the protection the Landlord and Tenant Act provides, coercion issues and eviction, and the protection of due process. I wanted to recognize her efforts and as well the presentation she made, which I think is an excellent one.

I do think it is unfortunate, given the fabulous quality that I see, actually, taken in all these presentations which were put before the committee, that we have not had an opportunity to really work at the bill longer. I know the government says we spent 17 hours, or 22 hours, or whatever it is. Let me just say that from the public's perspective, I think they'd understand if we took a little while longer and got it right, rather than taking the hammer. I think democracy may not be a perfect process, it's sometimes messy, but I think it's better for all of us if we let it move through the process. We get a better result at the end.

**Mr David Turnbull (York Mills):** I want to start out this debate on closure on Bill 120 by reading some words from Bob Rae, who is now the Premier of the province, but we'll look at what he said in opposition. This is Mr Rae to, I believe, the Speaker on December 9, 1982:

"...and because we are concerned with preserving the rights of opposition and with preserving the rights of each and every individual member to have his or her say with respect to this piece of legislation, and because we are concerned to see that each and every member of the Legislature has a right to put his or her view with respect to this legislation, we are firmly and strongly opposed to this motion being put at this time and in this way."

A further quote from Mr Rae, and this was February 15, 1983: "Can the Premier say if it is now the intention of the government to introduce closure whenever it feels it is not getting its way, or debate is not going in the direction it wants, or it is under some pressure from its own backbenchers?" We've got lots and lots of quotes from Mr Rae in opposition; that H-word that we're not allowed to use here in the Legislature comes to mind.

Mr Rae said on February 15, 1983, "It has become

clear that this government has drunk deep and long the heady wine of the guillotine and simply cannot get enough of it." Am I making my point, Madam Speaker? Then on January 19, 1989, once again Mr Rae said, "...it will be open to any government, notwithstanding the standing orders, to come down in April or May and say, 'We want to have three days for this bill and two days for that bill, and if we can't get agreement from the House leaders'—the argument from the government will be—'we are going to do it by way of standing order.'" Well, we know that the government has done this.

"If you allow that to happen for more than one bill"—let me read that again; this is Mr Rae in opposition: "If you allow that to happen for more than one bill, the clear implication will then be that literally anything goes in terms of how governments allocate time. The only protection we have in this regard, Mr Speaker, in terms of the appropriateness of that notice of motion, is your ruling on what governments are entitled to do in this House."

Well, this is a government that has used closure many, many times. They used it on Bill 79, employment equity; they used it on Bill 47, photo-radar; they used it on Bill 143, the Ottawa-Carleton act; they used it on Bill 40, the labour bill; they used it on Bill 150, creating venture capital corporations, and they used it on Bill 4, the rent regulation act.

Now let me just once again refer to what Mr Rae said. "If you allow that to happen for more than one bill, the clear implication will then be that literally anything goes in terms of how governments allocate time." This is a very serious matter. It's a matter of the opposition parties, who represent the majority of people in this province because the government—

**Mr Gordon Mills (Durham East):** Why don't you let us govern?

**Mr Turnbull:** —and I am not denying the government the right to govern—

**Mr Mills:** You are just bitter that you lost.

**The Acting Speaker:** Order. Interjections are out of order.

**Mr Turnbull:** —but the fact is, it won its mandate with 37.8% of the vote, so therefore, the opposition parties represent the majority of people in this province. My point is, is it not reasonable that we be allowed to express the concerns of our constituents when they come to us and say, "We are concerned with legislation"?

In the case of my own constituents, overwhelmingly I have had comments that they are against Bill 120. I have had some of the constituents who have said they're in favour of it, and I will not present an unbalanced picture. It is a fact that there are some people in my constituency who are in favour of Bill 120. However, the majority of people who have communicated with my office and the ratepayer groups that I have communicated with in meeting after meeting after meeting have said they're against this legislation. They have asked to be heard by the legislative committee which looked into this bill after second reading; overwhelmingly they were turned down. They were not allowed to present to that committee.



**Mr Gary Wilson:** Come on, we heard over 200 people on that.

**Mr Turnbull:** Now, my friend across the way says, "Well, we had over 200 people at the committee." The fact is, this is very controversial legislation. In bringing in this legislation, the government tramples over the rights of municipalities to set zoning, and zoning is set in concert with the residents of a neighbourhood, and that zoning is there to protect the residents of the neighbourhood.

1700

Indeed, if you move into a single-family area, you pay typically more money to buy into that area. Now what does the Minister of Housing say? She calls it "snob zoning." These were the minister's words in committee on this bill. She thinks it's snob zoning, so therefore she says: "I couldn't care less what the people in the municipalities are saying. I'm going to push this through."

In the hearings, we had AMO suggesting that it was against this legislation. We have had the fire chiefs overwhelmingly saying—not overwhelmingly, totally have said—that this is bad legislation and they're concerned. They're concerned because of the right of entry into these potential death traps.

Now, the minister argues that in fact this legislation will improve the lot of people who live in basement apartments. There may be some instances where that is true, but the problems that people who live in single-family areas have if they allow the municipalities' right to set zoning to be usurped by the province is that the people who own those homes may never be able to get the tenants out again. If you go to sell your house and you try to get somebody who's living in a basement apartment out because you want to deliver vacant possession to the new owner, who wants the total house, you may not be able to do it. So there will be an effect on property values.

Infrastructure is put into areas consistent with the zoning that is in place when you build an area. You put in schools, you put in fire service and in fact you put in things like trunk sewers in consideration of the density that will be in that area.

This government says it couldn't care less. They are going to force the municipalities to accept basement apartments wherever anybody wants.

**Mr Gary Wilson:** Come on, that's not true, David. You should come to some of the hearings.

**Mr Mills:** Isn't he ridiculous?

**Mr Steven Offer (Mississauga North):** Of course it's true.

**Mr Turnbull:** I'm somewhat surprised by members of the government heckling that it isn't true. I don't think they have followed this legislation themselves—

**Mr Mills:** When he speaks, truth is abandoned.

**The Acting Speaker:** Order. The member for Durham East, please come to order.

**Mr Turnbull:** —because, inescapably, you cannot draw any other conclusion than the fact that any area that is single-family zoning, if you don't want to have that

turned into double-family housing, then quite frankly you have no protection. One developer can move into an area, can buy a single house, can divide it into two apartments with this legislation and use that to block-bust that street. You can have whoever you want. You can have the so-called tenant from hell.

Now, I want to emphasize that the vast majority of tenants are good, decent people who should be protected, but the fact is that tenants from hell can be literally hell to the owner of a house who wants to get them out, and it's very difficult, and in addition, developers can use this as a play to block-bust, to get their foot in the door and slowly take over the block. That is a very serious problem.

If we allow this legislation to go forward with only one hour of third reading debate, we are not doing our job as legislators in expressing the legitimate concern of the majority of people who came before this committee, and no matter what heckling the government may make, the fact is inescapable: The majority of the people who came before the committee said they were against this legislation. I see the Minister of Housing, as usual, nodding her head. Well, Madam, you obviously weren't listening. Of course, obviously, if you cut off the number of people who can come and make depositions, then you can control the process to some extent. My own tenants were not allowed to come before this committee.

To use Mr Rae's words in opposition, "We have a government that has drunk deep and long the heady wine of the guillotine and simply cannot get enough of it." Whenever this government runs into anything which is controversial where the government is not getting the support of the public, as evidenced by the committee hearings, then what we see is the guillotine coming down.

Where does democracy go from this point? Why bother having a Legislature if you are not allowing proper debate? I will say to the governing party, there can be no doubt about it, you will not be the governing party after the next election and you will rue the day you pushed through so many of these changes which will allow any future government to ignore any complaints you may make about limiting debate on anything.

We've read what Mr Rae said in opposition. He said if it was done more than once, it would show that the government wasn't interested in the democratic process. It hasn't been done just once, it's done so often. And we're not talking about a couple of bills at the end of the session, we're talking about a whole body of bills.

**Mr Mills:** You won't let us govern, that's why.

**The Acting Speaker:** I ask the member for Durham East to come to order.

**Mr Turnbull:** We came back just a few weeks ago, and this is the second time allocation we've had since we came back from the winter break. We are subverting the democratic process.

Let's look at some of the difficulties that care homes and the residents of care homes will have as a result of this. This legislation is such that if a resident of a care home became dangerous and violent or needed a higher level of care, the operators of the care home would not

be able expeditiously to get the resident out. That is a very serious issue.

What happens if you have a loved one in a retirement home and one of the other residents has become very dangerous and aggressive because their condition has deteriorated quickly? Is it fair to the other residents that they should have their wellbeing put at risk because the government is saying, "No, we're going to put you under the Landlord and Tenant Act"? More appropriately, that aspect of the act should have been completely separated and should have been handled as separate legislation.

**Mr Gary Wilson:** On a point of order, Madam Speaker: I'd just like to ask a question of the—

**Mr Turnbull:** Come on, that's ridiculous. Madam Speaker, I would ask you to add some time on to the clock for that. It's very clear that he's just trying to take up our time, which is further proof that this government doesn't want the words of the opposition heard. You can gag us in terms of time allocation, but it isn't washing out there. The people I speak to detest your government. People who voted for you last time detest it because you are ignoring what the people are saying.

The minister uses some statistics of how many people are in favour of allowing basement apartments. I would suggest to the minister, put that to a referendum. Allow each municipality, even broken down by ward, to have a referendum about whether they want this incursion into the zoning within their area. Let the people decide, not a bunch of politicians.

The people who've bought their homes, who were protected by existing zoning, are now being denied that protection. I believe it's appropriate that we listen to the people. That's the reason so many people are rather put off politics today: because of governments ignoring the wishes of the people. I can tell you that the people in my area overwhelmingly are saying they don't want this legislation. They bought into a single-family zone and they want to keep it that way.

1710

There are circumstances—I mean, there was a widow who died, unfortunately, a year ago who was a neighbour of mine; she lived on the other side of the street. She was somewhat lonely and she took in a policeman who was living there, illegally had an apartment in the house. Did anybody say anything? Of course not, because we believed it was in her best interests. It provided some companionship to a very dear lady and gave a little income, and the community turned its back on that.

But the community does not want, holus-bolus, the neighbourhood of single-family homes that people have worked very hard to be able to afford turned into an area of duplexes, and that is in essence what we do with this. We have some serious problems with the implications for zoning and for municipalities to protect the tenants in residential zones.

Also, we have some very serious concerns about how we will protect residents in these care homes if one of the residents becomes dangerous and cannot be moved expeditiously because of the protection of the Landlord and Tenant Act.

Additionally, there is a very interesting question which I believe has not been handled adequately by the committee because of the fact that the committee hearings have been cut off in clause-by-clause. If a tenant were to pay for the rent component, which is now under this legislation being separated out from the care component of what they pay to that home, but did not pay for the care component, what rights would the owner of that home have to remove them under the Landlord and Tenant Act if they continued to pay their rent? This poses some very serious problems for the operators of care homes, be they profit or non-profit, and potentially affects the financial viability of these operations. In the end, the residents can be the victims: that they will suffer because of the injustices and the financial difficulties that could potentially be caused by this.

I've touched briefly on the fire safety concerns which were expressed by fire chiefs, and it is a very serious concern. We have seen a number of people killed in basement apartments, and there has been very little this government has done to address this very serious problem. It is a problem that could be addressed by reasonable amendments to the bill because, unfortunately, I know the government's going to pass this bill as soon as they bring it in. They have a majority. They're going to pass it. But they haven't listened to the people, they haven't listened to the presentations.

I was very attentive to what was presented to this committee and very concerned about the implications for York Mills, the area I represent. I believe there are ways the bill could be improved, although I believe it is an inappropriate bill. Most of all, it should have been brought in as two separate pieces of legislation: one handling the housing aspect and the other the care homes.

With that, I have put some of the concerns of the constituents of York Mills on the record. It is something I believe the government should think long and hard about, as to how it goes forward in the future with cutting off very legitimate debate and questions from the opposition who, as I've said, in fact represent the majority of Ontarians.

**The Acting Speaker:** Further debate?

**Mr Offer:** In the time permitted, I want to put a few points on record. I understand that the time we've got now is evenly allocated, and this just happens—excuse me, Madam Speaker, I think we have to get an understanding as to the time which is permitted on this.

*Interjection.*

**Mr Offer:** Okay, thank you very much.

I obviously have some very strong concerns about what the Bob Rae government and the Minister of Housing have done today. I think what they have done is nothing less than slap the face of the people of the province of Ontario. It is incredible to me that on a bill as important, in terms of its opposition, the government would stop all debate on this legislation, and effectively that is what it has done.

I am looking at a motion which was introduced today by Bob Rae's Minister of Housing, Evelyn Gigantes, which states that this bill, which deals with basement



apartments, notwithstanding the many concerns that have been raised from municipality to municipality, notwithstanding the many concerns that have been raised by fire chiefs across this province, notwithstanding the concerns raised by individuals in municipalities, will have on third reading all of 60 minutes to be debated.

That is 60 minutes which, I would expect, would most likely be divided between three parties. In other words, a bill which has caused great concern throughout this province is going to be allowed for debate 20 minutes per party. I believe that is a terrible disgrace to this Legislature. I believe this is an act of irresponsibility, of tyranny that this Legislature has never seen before. I do not believe that I am overstating this case. I cannot believe—

**Mr Kimble Sutherland (Oxford):** You are.

**Mr Gary Wilson:** You are.

**Mr Offer:** The NDP members who will, on third reading, trundle out and vote in favour of this bill, think that speaking for 20 minutes on a piece of legislation is sufficient. Well, I have received letters and telephone calls from my constituents. When I've been out speaking to them at community events, one of the issues that is brought forward to me is that around basement apartments, and they are concerned.

They care not a whit about the politics of the Minister of Housing or about Bob Rae. They care about safety in their community. They care about people who live in basement apartments. They care about the fact that the NDP government is, without doubt, ramming a piece of legislation through that does not address the issues of safety that are so important, crucially important to the people of this province.

In the hearings, the fire chief for the city of Mississauga, Fire Chief Cyril Hare, brought forward the fact of the safety issue. I am not going to recite everything that the fire chief of the city of Mississauga stated except to say that he clearly articulated the issue of the need for safety.

We clearly understand that this bill is negligent in this area, that there will be a problem, that there are safety issues which have not been addressed, that the government, notwithstanding that, is going to be ramming through the legislation with but one hour of debate for everyone in this Legislature, not individually but collectively, that probably each party as a whole is going to be allowed 20 minutes. It is nothing less than a slap in the face for the people, not only in my riding of Mississauga North but indeed throughout the province of Ontario.

I have letters from individuals in the city of Mississauga who are pleading with Bob Rae, who are pleading with the Minister of Housing to read their own legislation, saying that it doesn't meet the needs of the safety criteria we would expect everyone to have.

1720

The bill is bad. There are maybe 10,000 basement apartment units in the city of Mississauga. We do not know because there is no way in which we can know. We have received estimations from the fire services department that it could be upwards of 7,500, to maybe 10,000, maybe beyond, and this bill will say upon its

passage that those 10,000 units are legal. That's what it says. It will send out a message to those living in basement apartments, those 10,000 units, that they are now living in legal units. But what does that mean?

The minister and members of the government will trundle out that there are certain regulations or things of this nature that will attach to basement apartments, but there is no method for municipalities or fire services departments to know where those 10,000 units are. So just as a matter of common sense, of rational thinking, how is it that one can ensure that a unit is in fact safe if you don't know where that unit happens to be located?

These are the concerns that people in my riding have been calling me about. They are saying, "How can the government say that those 10,000 units are going to be safe and that the people living in those units are going to be living in safe conditions if there is no provision under the legislation which allows the government, the municipality or the fire services department to find out where they are?"

The bill is negligent. The bill is deficient. The bill is irresponsible. The actions by the Bob Rae government in ramming through a bill are, at very best, tyrannical. I cannot understand how a government can pass a bill which is going to put so many people, and I am just speaking about some numbers in the city of Mississauga, not the province of Ontario, at risk.

The Minister of Housing has a responsibility to shuck aside her political ideology and look to safety. You have an obligation. The members of the NDP government have an obligation to say to the Premier of the province, their leader Bob Rae, to the Minister of Housing, Evelyn Gigantes, that we cannot allow a bill to be passed which jeopardizes people. When a bill is passed, such as this, which does not allow a municipality to find out where these basement apartments are, which does not allow a fire services department in your own city to find out where these units happen to be, it puts those people at risk.

My letters, I have no doubt, will continue. I have no doubt that not only will they continue, they will increase, because they are absolutely certain, as I am, that the government is totally wrong in what it is doing. In my riding we have different communities, just as in all other ridings—the communities of Malton, Streetsville, Meadowvale, Meadowvale Village, East Credit—all of which have basement apartments, all of which are concerned about the safety aspect of the basement apartments in their area.

We have received and read in the newspapers the tragic consequences of what can happen, and that transcends all politics. The government should get that through their heads, that what we're talking about are lives. We're talking about safety. We're talking about a bill which doesn't address those concerns. We're talking about a government that doesn't care, that sees this as nothing more than some further political exercise that they have to use in terms of making this bill law.

This is a motion which basically shuts the door to this Legislature. It says to our constituents and to the constituents of all members, "What you have to say about this

bill, as important as it is, just is not going to be listened to by the government." I believe that this is a message that this government will continue to rue the day that it has introduced a piece of legislation which limits debate for this whole Legislature to but 60 minutes.

**Mr David Johnson:** I'm going to talk about a number of sectors that have come before us through the Bill 120 hearings. The minister has indicated that there were certain misunderstandings by certain people about Bill 120 and that now they've had discussions and consultation and everybody has been set right and everybody has been told that it's okay after all. But I can tell you that in being involved in the discussions I know that there is a lot of opposition, a great deal of opposition to Bill 120.

For example, the Ontario Residential Care Association represents some 600 facilities, retirement homes, across this province. Over 35,000 seniors, disabled and post-psychiatric residents, average age of 83, live in their facilities. That's the Ontario Residential Care Association. Representing some 35,000 people, seniors, across the province of Ontario, what do they have to say about Bill 120?

Bear in mind that one of the onerous aspects of Bill 120 is that it imposes the Landlord and Tenant Act on these care facilities. The Landlord and Tenant Act was intended to regulate tenants but not care homes. So the point that the Ontario Residential Care Association is making is that the Landlord and Tenant Act "was never intended to regulate specialized labour-intensive service delivery." The Landlord and Tenant Act "is legislation geared towards tenants, not towards assisting elderly and post-psychiatric residents."

What is the outcome? I'm sure that the minister is not concerned about this, but the outcome, according to this organization representing 35,000 residents, senior residents, average age of 83—and I might say that some of those residents appeared before us in opposition to this bill as well; not only the operators, but the residents as well.

One consequence is that a resident who requires more care than a retirement home can provide is at risk. What happens is that a person will come into a retirement home, need a certain level of care, but as that person ages, a higher level of care will be required. Retirement homes are only able to give a certain level of care, and as that person progresses and needs more care, they really should move to another facility, a home for the aged or a nursing home or some other facility. As it stands today, without the provisions of the Landlord and Tenant Act, if a resident objects to moving—and some residents do not wish to move—then provisions can be made to move residents into a proper facility where they can get the proper care.

Under Bill 120, if the resident chooses not to move, then the Landlord and Tenant Act says that you cannot move that resident; that resident stays right there. Then what happens?

**Hon Ms Gigantes:** You have to follow a process.

**Mr David Johnson:** Then there's a process. The minister says there's a process. The operators that came

before us said the process does not work. So not only is the resident in jeopardy, but it's interesting in terms of where the operator stands, what sort of liability the operator incurs.

What about a resident who is a threat to the other residents or themselves? They say, "An important distinguishing characteristic of retirement homes is their communal nature"—that means that people are living together, sharing dining facilities, sharing other aspects of their accommodation—"and close day-to-day interaction of all residents." Consequently, if one resident becomes aggressive—and this happens; we were told this happens—then of course it diminishes the quality of life for all the other residents in the facility.

With the provision of the Landlord and Tenant Act—

**Hon Ms Gigantes:** There's a process.

**Mr David Johnson:** There is a process. The minister says there's another wonderful process. If you've got six months to a year to go through a process, you may be able to deal with it. What happens to the people who live in that facility who are being threatened or abused or whatever in the meantime? "It's not the government's problem; there is a process."

1730

It's interesting that you may think there is only certain people who are opposed to this bill and that perhaps it's just the right-wing Tories and right-wing Liberals, if the Liberals are right-wing; I don't know where Liberals are in this day and age, but wherever they are.

**Mr Offer:** We're over here.

**Mr David Johnson:** Oh, there they are over there; okay. I have a letter from the Honourable Stanley Knowles. You may wonder, what does the Honourable Stanley Knowles think about Bill 120? Guess where the Honourable Stanley Knowles lives. He lives in a retirement residence. He lives in Rideau Place in a retirement residence. The minister undoubtedly knows what Mr Knowles thinks about Bill 120. He says:

"For the past few years, Rideau Place and other retirement homes have been trying to warn the government that putting such retirement homes under housing legislation"—this housing legislation, Bill 120—"would cause serious problems in the day-to-day running of such retirement homes and for the residents living in them."

The minister says the Honourable Stanley Knowles is wrong. He used to be right, but he's no longer—

**Hon Ms Gigantes:** They just don't have the full information.

**Mr David Johnson:** They just didn't have the full information. Everybody who disagrees with the government does not have the full information. That goes, then, for the Association of Municipalities of Ontario. They don't have the full information either, because they certainly don't agree with the government. The minister says, "We have talked with all municipalities, we have consulted, we have heard all their problems and we have made changes," sort of implying that now all the municipalities are happy.

**Hon Ms Gigantes:** We never said that.



**Mr David Johnson:** Oh, you didn't say that? Okay, there was that implication. Let me tell you what the association of municipalities thinks of Bill 120:

"Bill 120 contains virtually the same changes to the Planning Act and the Municipal Act which were contained in Bill 90," which was the previous bill. "The association is very disappointed that after all the opposition and discussions surrounding Bill 90, the sections of Bill 120 pertaining to apartments in houses are essentially intact, with minor housekeeping amendments."

They're saying you did nothing. They're saying you may have consulted and you may have allowed a few people to talk, but you didn't make any changes. You didn't hear. It didn't sink in. Their same objections that they've had all along are still there. They go on to say, "This is an unwarranted intrusion and interference with municipal zoning authority."

What I'm speaking of here—first, I'm talking about the Association of Municipalities of Ontario, representing probably about 80% of the municipalities or more in this province; and I'm speaking about a bill that would allow, as of right, an accessory apartment, most often a basement apartment, in every house in this province, in violation of all the zoning and official plans of all the municipalities of the province of Ontario, save and except where they have septic tanks.

The association of municipalities is saying it's an unwarranted intrusion into municipal zoning. "The legislation works contrary to the many active and progressive housing intensification efforts already under way." Of course, the minister says the municipalities are not toeing the line; they are not listening to her housing policies. But the association of municipalities says that's not true, and I'll give you a few more instances a bit later.

They say, "The legislation overrides local planning to ensure the provision of the necessary hard and soft services in communities." If you're really interested in what the municipalities think, they do not like the legislation and you recognize that.

Is that just the association of municipalities? What about everybody else? We hear there's broad support across the province of Ontario: 75% of Ontario, I think I've heard.

**Hon Ms Gigantes:** Seventy.

**Mr David Johnson:** Seventy? Seventy per cent of Ontario loves this bill. I can tell you, here's the village of Hastings. I have their resolution in opposition to Bill 120 from the people from Hastings.

I have the town of Ajax. What do they say about it? They're in opposition. "The province should not proceed with this legislation" until all the questions they've raised, questions which have not yet been dealt with, are answered. The town of Ajax is in opposition.

The city of Belleville: The city of Belleville objects to Bill 120. It says so right here in the resolution.

How about the town of Lindsay? In the town of Lindsay, it was a topic of debate. They're opposed to it too. You recognize that. Where is this 70%?

**Hon Gilles Pouliot (Minister of Transportation and**

**Minister Responsible for Francophone Affairs):** What about Mississauga?

**Mr David Johnson:** The Minister of Transportation asks about Mississauga. Mississauga will support intensification, as most municipalities will, if they're allowed to do their own planning and impose their own conditions in context with their own residents and their own needs. What you're doing—you're hearing this over and over again, but I guess you don't care—is imposing, right across Ontario, one planning system to address a problem that you perceive. All municipalities are having this one planning process imposed on them and they're saying it doesn't fit all needs, municipality after municipality.

There's the town of Lindsay. The town of Lindsay expresses its "continuing opposition" to this legislation. The town of Tillsonburg says, "Bill 120 is in blatant disregard for the rights of citizens." The town of Haileybury is opposed to it. The city of Niagara Falls—

**Mr Steven W. Mahoney (Mississauga West):** Have you got any in support?

**Mr David Johnson:** I looked for those in support. I can't find them. It's 70% of the province of Ontario, but I can't find anybody; I don't know where that 70% has gone.

The city of Niagara Falls is in opposition.

Here's the city of Cambridge. The city of Cambridge says, "The proposed Bill 120 represents a significant provincial intrusion into municipal land use regulation and represents a compromise in the local planning power." The city of Cambridge is in opposition.

The city of Sarnia objects to the provisions of Bill 120.

Minister, here's an interesting one from the city of Burlington. The city of Burlington shares the basic objective of the province regarding encouraging residential intensification. They share your objective and they're in support of housing intensification. However, they oppose the legislation you're bringing forward, "an extreme and arbitrary" way, they say, in terms of dealing with intensification.

The city of Ottawa supports intensification, but not your bill, not your way of doing it. They have their own particular problems.

**Mr David Johnson:** Madam Speaker, can we have a little order over here? It's very noisy.

**The Acting Speaker:** Order, please. The member for Don Mills has the floor. That means we would like to be able to hear him.

**Mr David Johnson:** I've got municipality after municipality after municipality.

Through you, Madam Speaker, to the minister, the city of Ottawa has a plan for intensification. I think you would agree, coming from the Ottawa area yourself, that that city, among all cities, has been very responsive in terms of the housing needs of its citizens. I hope you would agree with that; I think that's so. Yet you're imposing your own unilateral approach, overriding all municipal authority in this regard, imposing on the city of Ottawa your approach. They say it's not right for Ottawa.

The city of London is another municipality that has taken initiatives in housing, that has established areas for intensification. They've consulted with their own residents, they've planned their communities with their own residents, and now you have thrown that out the window. All the planning they've done in the city of London you've thrown out the window with this bill. You've imposed your own Queen's Park solution over local planning.

1740

The city of Hamilton has taken another approach to intensification and it fits the needs. In the city of Hamilton there are houses with different structures. Many of the houses have cellars instead of having basements.

The city of Waterloo has a unique problem, because within the city is the Waterloo campus, and they have taken an approach with regard to student housing. The mayor of the city of Waterloo says your bill, Bill 120, which you are imposing right across Ontario, will have a dire impact on their neighbourhoods and on their student housing, because they have planned with their people their needs and you are overriding that, you're throwing that out the window. That's the city of Waterloo.

The minister says: "Okay. All the municipalities are against them. The municipalities are in favour of snob zoning."

**Hon Ms Gigantes:** There are four in favour.

**Mr David Johnson:** Oh, you've found four: four municipalities out of 800. I hope you have a better betting average than that, or else the next election you will be out.

It's interesting. When you quote the average person and what the average person thinks about this, it depends on how you ask the question. The city of Scarborough has conducted a poll. They sent out 5,400 questionnaires to the people of Scarborough and asked them about basement apartments. You say 70% of the people support. What they found was that 37% of the people support basement apartments, 33% oppose basement apartments, and another 30% are what they call the middle ground: they support basement apartments under certain conditions. That's how you get your 70%. Some people, about half, will support them under any circumstances. Other people will support them if there are certain conditions.

For example, one of the most popular conditions was that many people think that accessory apartments should be permitted if they are owner-occupied. What the city of Scarborough found in its questionnaire is that 76% of the people who are in the middle ground, who would support under certain conditions, would indeed support a basement apartment if the owner lived in the main residence, if the unit was owner-occupied. That is one of the conditions that many of the municipalities have asked. The minister says you can't do that.

We had a delegation from the city of Etobicoke. The solicitor of the city of Etobicoke was before us and she said that it was her view that you could do that. It would require a change in legislation, but indeed basement apartments could be limited to owner-occupied residences.

Because my time is running out, I would like to shift to the issue of the care homes. We know that this bill, which unfortunately is going through closure today, will impact not only on municipalities with regard to base-ment apartments and accessory apartments but will impact on care homes. I mentioned retirement homes. This bill will also impact on other kinds of care homes.

For example, I give you the case of the Ontario Federation of Community Mental Health and Addiction Programs. They run about 100 agencies with accommodation for people who need assistance.

Madam Speaker, can we have a little order? Is it possible to have order?

**The Acting Speaker:** Order. I would ask members to take their seats, please. The member for Don Mills has the floor. I would like to be able to hear him, thank you. Go ahead.

**Mr David Johnson:** I was just saying that the Ontario Federation of Community Mental Health and Addiction Programs operates over 100 accommodation residences for people who need care and who also need a place to live. The Landlord and Tenant Act, under this bill, would apply to their residences, and they say that it is their view that their rehabilitation and recovery programs of a transitional nature should not be dealt with under this act.

They go on to say that they are concerned that the amendments as written would cause fundamental changes in the nature of their programs. People will no longer be in a rehabilitation or recovery program; they would simply become tenants. In other words, the care they provide in these programs would be lost over a period of time.

They give an example. For instance, if in one of their alcohol recovery programs a resident was permitted to bring alcohol into one of their units, you can imagine what would happen. People living together, close surroundings, recovering from alcohol abuse: If one of the residents is permitted to bring alcohol into the program, it puts the other residents under severe stress.

The way it operates today is that the facility would have the right to control this situation. If a resident did not stay on the program, then that resident would simply have to leave, because they can't ruin the program for all the other people who need the program. Under Bill 120, the facility would lose the ability to remove that person. That person would be able to stay there, would be able to drink openly, and it would be a very stressful situation for the other residents who would be accommodated there. It would, in effect, cause the failure of the program.

Time is running out. I have correspondence from the Society of St Vincent de Paul. They run a transitional home for men recovering from alcohol addiction. They say exactly the same thing: You apply the Landlord and Tenant Act to their program and there will be serious consequences. The programs could well fail, programs that are required in the province of Ontario.

Anglican Houses were before us. They have serious problems, 29 rehabilitative and transitional houses in Ontario. They're dealing with people who have histories



of violence, suicide, theft and disruption. They need authority to deal with the situations. Bill 120 will take away their authority.

We had the Massey Centre for unwed young mothers before us. Their main need is for safety. Young mothers who have been abused come into this program. They need security. Bill 120, by imposing the Landlord and Tenant Act, would remove that security. It will have dire consequences. The young mothers themselves have come before us to plead, "Don't do this." Not only the operators but the young mothers.

We had the Community Occupational Therapists and Associates. They have a number of projects with over 700 tenants.

Group after group have come to us, municipality after municipality, citizen after citizen, objecting to this Bill 120, and the fire chiefs—to throw it all on top in the last few seconds—have said that this bill will not solve their problem, that they cannot get in and ensure safety within the basement apartments.

**The Acting Speaker:** The member's time has expired. Further debate, the member for Mississauga West.

**Interjection:** Hazel's man.

**Mr Mahoney:** Well, Hazel's man, he calls me. I'm proud to say that that's probably true, one of those who supports the mayor of Mississauga who at least understands, I might say to the member opposite, the responsibilities of an elected person to represent the views of their people. I'll tell you: That's what she understands and that's what this minister doesn't understand.

*Interjections.*

**The Acting Speaker:** Order.

1750

**Mr Mahoney:** I think the thing that bothers me more than anything about this bill—let me admit, by the way, that there are some aspects of the bill that make sense, and indeed some of the regulations make sense, but they clearly sit like an island without the ability for the municipality to enforce those regulations.

But I think what bothers me more than anything is the arrogance of the minister and her absolute refusal to listen to the people's concerns as they were expressed at committee and have been expressed in countless numbers of letters to the offices of members of the opposition and I suspect, as I see the former mayor of Oshawa taking his leave, to people within the caucus of the minister's own party.

I cannot believe for one minute that anybody in this party who has had any municipal experience or any kind of a relationship with a municipal council or a mayor would not understand their frustration and their concern.

**Mr Bradley:** Most of them haven't and that's why they don't.

**Mr Mahoney:** Well, maybe that's the issue. The member for St Catharines says most of them have not had the opportunity to have any municipal experience. I guess that's perhaps true, that most of them came from the shop floor, or wherever, or even perhaps were unemployed, I don't know, when they secured probably

the best job that they'll ever have in their life for the shortest period of time, because let me tell you, you folks are gone. You will be a footnote in history, and this arrogant minister will go with you.

We'll make the changes in the areas that are required to provide safe accommodation for people living in basement apartments—but the absolute arrogance and the refusal of the government to listen to the concerns that have been put forward, in many, many cases in a non-partisan way to say, for goodness' sake, take a look at some of these ideas.

**Hon Mr Pouliot:** What about the tenants?

**Mr Mahoney:** You can talk about the tenants. In Mississauga we experienced two tragedies: Two mothers and their babies died in basement apartment fires. Don't talk to us in Mississauga. Both of those tragedies in my riding, to the Minister of Transportation, were forewarned by the fire chief and by the mayor and by members on this side of the House, and this government did nothing.

**Mr Mills:** What a bunch of baloney.

**Mr Mahoney:** It is not a bunch of baloney. It is fact. They were forewarned in committee—

**Mr Mills:** Why didn't the fire marshal do something about it?

**The Acting Speaker:** Order.

**Mr Mahoney:** There were comments made. There were absolute—

**Mr Mills:** If you say he was forewarned—

**Mr Mahoney:** You wouldn't listen to him.

**Mr Mills:** If he was forewarned, why didn't he go in there and do something about it? If the fire chief was forewarned—

**The Acting Speaker:** The member for Durham East, interjections are out of order. I would ask the member to address his remarks to the Chair.

**Mr Mahoney:** Madam Speaker, thank you. The member opposite says if the fire chief forewarned it, why didn't he go in and do something? You just don't get it. You just don't understand. That's what is so frustrating about all this. We have tragedies occurring in our community that could equally occur just as easily in your community. Why don't you listen? We have put forward—

*Interjections.*

**The Acting Speaker:** Order.

**Mr Mahoney:** We have said that the problem is very clear. The problem is safety. The minister has introduced regulations that would require smoke detectors in basement apartments. Congratulations. The minister has introduced regulations that would require a proper exit, either through a pop-out window or a door to the outside. Congratulations. The minister has said in the regulations that if the exit access is not provided safely and easily, there can be a requirement for a sprinkler system. I again say congratulations.

They are all ideas that were put forward by Fire Chief Hare and by other fire chiefs and municipal politicians and other people in this place to tell the minister that

these safety precautions in basement apartments must be put in place. They're there in regulation.

Question: How do you enforce them? The minister has admitted there are over 100,000 basement apartments existing illegally. She seems to think, and everybody falling in line like a bunch of trained seals seems to think, that by simply saying they're legal, you'll all of a sudden have them come out from under the basement apartments and say: "Here we go. I have a basement apartment." It's just not going to happen. The fact of the matter is, there is nothing to compel anyone.

You can pretend, if you want, that the tenants are all of a sudden going to feel this great surge of power and come out from the basement apartments and say, "We demand protection." I tell the minister, the members over there, the reality is that they're not going to do that. The home owners are not—

**Mr Gary Wilson:** So you keep them illegal?

**Mr Mahoney:** No, there's a solution, if you would only listen; it's a very simple solution. Instead of putting in place some kind of regulation that is impossible to enforce—if the municipalities even had the right of entry, they couldn't afford the staff to go in and do it under the current situation. The solution is—listen to this—home owners' insurance policies. Exactly.

**Hon Mr Pouliot:** You had five years to do it.

**Mr Mahoney:** Listen to this: You simply put in every renewal for a home owner's insurance policy, or in every new application for a home owner's insurance policy, two questions. One: Do you have an auxiliary apartment in your home, yes or no? Two: If yes, is it registered with the municipality? It's all they have to do, those two simple questions in every renewal application and in every new application. Now follow this; I know it's difficult. If I had a bouncing ball, I'd show you. Follow this. If they answer no to the first question but in reality they have an auxiliary apartment, they would run the risk of invalidating their home owner's insurance. Why would they want to do that?

You might be interested to know, Minister, that on Thursday the 21st I have a meeting with people from the Insurance Bureau of Canada, the mayor of Mississauga and a couple of members of council to explore their interest in doing this. They're very, very interested in doing this.

The minister knows that; the Premier knows that. I have told the Premier personally about this idea and asked him to instruct his intransigent minister to at least look at the issue to see if it makes sense. The fire chiefs have said it makes sense; the municipal officials—I don't know why you can't think about this. You just simply put it in the policy. If they lie, they invalidate their home owner's insurance. Who would risk it?

Very simply, when they fill out and they answer the question, the municipality would have an agreement with the insurance bureau that the information would be made available to them. Then the municipality could arrange for an inspection to be done at the request of the insurance company and to be paid for by the home owner.

Now you would say, "Well, why would we put the

home owner in a position of having to expend money?" Let me tell you why. A basement apartment is a revenue-producing business within a residential component. It's a business. If you were allowing someone to open a business along Main Street in your town, you would require them to pay for inspections for fire safety. There's absolutely no doubt about it. A basement apartment is a business. It's not unreasonable that someone who wants to open a basement apartment and, indeed, become a landlord and earn revenue which would help them pay for the costs of running that overall home should pay a few hundred dollars to have an inspector come in. In fact, you would think they would want it.

I can tell you—and I've talked to the owners who owned the homes where the fire tragedies occurred in Mississauga—they feel awful. In one case, they were reasonably new immigrants to this country who didn't understand that there was a requirement for a smoke detector in our municipality. Nobody told them. When they bought their home the real estate broker didn't inform them of this and, in fact, the home was purchased on the basis that it had a revenue-producing basement apartment that would help them pay for the acquisition of the home. But nobody informed these people that there were safety requirements in the municipality and yet they're made to feel like criminals; they're made to feel like it was their fault, the tragedy that occurred.

The reality is that when they bought that home they would have to apply for a home owner's insurance. There's a mortgage on the property. The mortgage company would not grant the mortgage without insurance. It's basic, fundamental common sense. So the mortgage company would want to know if they had insurance. To get insurance they would have to answer the questions I've suggested to this minister. When they answered those questions, then you would know where the basement apartment was. You see, it is so simple. It is such common sense. It is absolutely beyond me why the members of the caucus, who I believe would be concerned about the safety of their constituents, don't go to this Housing minister and, if she won't listen, go to the Premier and say: "Bob, for goodness' sake, listen to what they're saying. Take a look at this."

If you can show me why it won't work, I'll listen to the reasons why, but I've heard none. All I've seen is arrogance, a refusal to look at good, sound options.

The insurance bureau has admitted their first reaction to this idea when I called them was: "No, we don't want to get involved. it's government regulation."

I said: "Just a minute. It seems to me if you're insuring a property you would want to know if there were cooking facilities in the basement, if there was proper ventilation, if there was a smoke detector, if there was an exit for the people to get out. You would want to know what it is you're insuring. It just makes sense."

He took it to a meeting and they came back and said: "You're right. It does make sense. We think it's a good idea. We want to get together and talk about it."

In the few seconds left let me tell the minister this: Regardless of her stubborn, intransigent attitude on this, we are going to pursue this idea in the city of



Mississauga, and it may well be that we can implement this idea with the home owner's insurance policy, without the government and without the minister. It's unfortunate that this minister won't show some leadership and see that this idea is implemented right across the province.

**The Acting Speaker:** Time for debate on this motion has expired. Mr Charlton has moved government notice of motion number 25. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This is a 15-minute bell.

*The division bells rang from 1803 to 1811.*

**The Acting Speaker (Mr Noble Villeneuve):** Could I ask all members to please take their assigned seats.

We will now be voting on government notice of motion number 25, standing in Mr Charlton's name.

All those in favour will rise one at a time and be recognized by the Clerk.

#### Ayes

Abel, Akande, Allen, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooper, Coppen,

Dadamo, Duignan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Laughren, Lessard, Mackenzie, Malkowski, Marchese, Martel, Mathysen, Mills, Murdock (Sudbury), O'Connor, Pilkey, Pouliot, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessinger, White, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

**The Acting Speaker:** All those opposed to Mr Charlton's motion will rise one at a time.

#### Nays

Arnott, Beer, Bradley, Brown, Caplan, Carr, Cleary, Conway, Cordiano, Curling, Daigeler, Eddy, Grandmaitre, Hodgson, Johnson (Don Mills), Jordan, Mahoney, McClelland, McLean, Miclash, Morin, Murphy, Offer, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Poole, Sullivan, Tilson, Turnbull.

**The Acting Speaker:** The ayes are 56; the nays are 29. I declare the motion carried.

It now being past 6 of the clock, this House stands adjourned until tomorrow, April 20, at 1:30 of the clock.

The House adjourned at 1814.

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**Legislative Assembly  
of Ontario**

Third Session, 35th Parliament

**Official Report  
of Debates  
(Hansard)**

Wednesday 20 April 1994

**Assemblée législative  
de l'Ontario**

Troisième session, 35<sup>e</sup> législature

**Journal  
des débats  
(Hansard)**

Mercredi 20 avril 1994

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers

*50th anniversary*

*1944–1994*

*50<sup>e</sup> anniversaire*

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 20 April 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 20 avril 1994

The House met at 1333.

Prayers.

## MEMBERS' STATEMENTS

### TRANSFER PAYMENTS TO MUNICIPALITIES

**Mr John C. Cleary (Cornwall):** In 1993 the NDP government announced that road subsidy funds for municipalities would be significantly restrained, meaning that many local governments have had to make do with less money than is required for Ontario's aging roads.

The united counties of Stormont, Dundas and Glengarry received notification in February 1993 that their allocation would be \$5.598 million for that fiscal year. Now past the end of that fiscal year, the Ministry of Transportation has failed to meet its obligations. The government still owes the counties in excess of \$810,000. Today I heard that the counties have still not received any word on when that money will be coming.

As a result of the government's mismanagement, the county has had to borrow money at the total expense of the taxpayers, in order to continue its necessary road work.

Furthermore, the clerk of the counties just advised me this morning that the 1994 allocations won't even be announced until the end of April or early May, making budget planning extremely difficult at the local level.

The government is always talking about partnerships and the importance of partnership with municipalities. What kind of partner promises you money and then fails to deliver? The approval was given last year. Where is the counties' money?

GEORGE PEDERSEN

**Mrs Dianne Cunningham (London North):** This evening the 1994 Order of Ontario ceremony will take place in the front lobby of Queen's Park. Twenty distinguished individuals will receive the Order of Ontario, established in 1986 to pay tribute to those Ontarians who exemplify the highest qualities of achievement and excellence and whose contributions enrich the lives of their fellow men and women in our province, in Canada and in the world.

Dr George Pedersen is one of those special people whose contributions to his many communities is outstanding. He began his career as an elementary school teacher in British Columbia and is now president and vice-chancellor of the University of Western Ontario. He has been a teacher, vice-principal and principal in both elementary and secondary schools. Dr Pedersen has been the dean of education at the University of Victoria, later serving as vice-president, academic. He went on to the presidency of Simon Fraser in 1979 and UBC in 1983.

He came to Western as president in 1985 and was appointed to a second four-year term in 1990. Under Dr

Pedersen's presidency, Western has expanded its applied health sciences in new facilities at Althouse College and established the Siebens-Drake Research Institute. The institute will do pioneering research in microbiology, biochemistry and AIDS.

Dr Fraser Mustard, president of the Canadian Institute for Advanced Research, has saluted Dr Pedersen's support for remarkable developments in the health sciences and in the arts and humanities.

As the MPP for London North and on behalf of the citizens of London, the university community, and especially the students whom he loved to work with, I extend sincere congratulations to Dr Pedersen for his many achievements at Western.

## VOLUNTEERS

**Ms Sharon Murdock (Sudbury):** This week all across Canada communities are recognizing thousands, in fact millions, of people who give of their own time to volunteer in different agencies, programs and groups, and we are honouring all of those people this week.

In Ontario over one quarter of our population volunteer their time to different organizations and different things in which they feel they can help. But I, with great pride, am able to say that in Sudbury 45% of our population volunteer at different groups and organizations; that's almost half. So I'm very pleased.

On Saturday we had the kickoff. All the groups were there. I was very pleased to see all of the people who were there. On Saturday evening I had the pleasure of dining with the Salvation Army Cedar Youth residents and George Romas, who had done an excellent job organizing.

Certificates were presented for one year to Scott Baker and Ann Boisvenue, Darlene Dardick, Mary Donato, Jerry Lance, Norm Neveau, Dan Pelletier, Stephen Runnallt, Phil Smith and Remi Rainville. And pins to honour the fact that they are spending even more than just a simple night here, but actual years. Those years are acknowledged for Al English, Kevin Briscoe, Moira Ferguson, Celeste Gatien, Gaetan Guerin, Tony Hall, Mike Horsefall and others.

I wanted to say that without the volunteers who give of their time freely and without cost, we would not have the great services that this province does have.

## NUCLEAR POWER FACILITY

**Mr Sean G. Conway (Renfrew North):** I'd like to today, I'm sure on behalf of all members of the Legislature, congratulate the Ontario Hydro employees out at Pickering, particularly those people at unit 7 of Ontario Hydro's nuclear generating station at Pickering, which last week set a world record for the continuous on-line operation of a nuclear reactor, beating an old record set

by a British reactor some time ago. Unit 7 at Pickering had been continuously on line, in operation, at the time of the record-breaking day last week for some 714 days. 1340

I simply want to make this point: Much criticism has been levelled over the years at Hydro, and certainly much of it levelled at the nuclear generating capacity, but as member of the Legislature for north Renfrew, where thousands of my constituents work in the nuclear industry, and as Energy critic for the Liberal Party, I want to wholeheartedly and publicly congratulate those wonderful men and women at Ontario Hydro who have in this particular instance set a world record and who have during the recent winter months reminded all of us how very important is the nuclear power commitment to the economic health and social wellbeing of the province. To those people at unit 7, congratulations for a very, very fine job.

#### ALTERNATIVE FUELS

**Mr Noble Villeneuve (S-D-G & East Grenville):** Ontario's ethanol industry is ready to make its first major step towards a large-scale production facility right here in Ontario. Fuel ethanol mixed with gas can immediately lower harmful emissions from automobiles and is the most accessible green fuel available today.

As in the past, the ethanol industry faces one major obstacle, the Liberal Party. We know that a provincial Liberal government issued regulations which effectively prohibited the use of fuel ethanol in Ontario. Now that the Liberals have taken power in Ottawa, we face the prospect that Liberal lobbyists will suppress the industry in Ontario again.

The federal Liberal Party declared strong support for fuel ethanol in the last election. That was then. While the previous federal government lifted the excise tax on fuel ethanol, Liberals have taken no long-term commitment to keep the tax off.

If we are to have a \$170-million ethanol plant in Chatham and another production facility plant in eastern Ontario, we need a 12-year commitment from the government to not reimpose the tax on the ethanol portion of that litre of gas.

To its credit, the current provincial government has given a similar assurance, but the federal Liberals have not acted. Yesterday's report in the Financial Post confirms that the Liberals are being lobbied and are lobbying against an Ontario ethanol industry. By contrast, tougher United States standards may soon require fuel ethanol use in polluted urban areas.

Let the Liberals take note: We need an ethanol industry in Ontario.

#### GEORGE PEDERSEN

**Mr David Winninger (London South):** I also rise in the House today to recognize the achievements of George Pedersen, the outgoing president of the University of Western Ontario. As the member for London North stated earlier, he will be receiving tonight the Order of Ontario in addition to the Order of Canada which he already holds.

He was first appointed as president at Western in 1985,

and throughout the years he has been at the helm Western has continued to prosper, increasing its enrolment and the variety of programs for its students. Under Dr Pedersen's stewardship, the university has made considerable progress in the areas of employment equity, race relations and curbing violence against women. The university recently has had to deal with a series of fiscal constraints, and Dr Pedersen has taken a very constructive approach to provide a high standard of education in a cost-efficient manner.

As president of Western, Dr Pedersen is unusual, as he has taught formally both at the elementary and secondary school levels. He has also served capably in a variety of university appointments both in Canada and the United States.

Since the election of this government, Dr Pedersen has encouraged meetings between the local MPPs, the faculty, the staff and the administration several times a year.

I wish to thank Dr Pedersen for his years of dedication and hard work and the spirit of partnership and collegiality with which he approaches his work. I wish Dr Pedersen and his spouse many happy years of retirement as he returns to his roots in western Canada.

#### CONSERVATION

**Mr Tim Murphy (St George-St David):** Recognizing it is Earth Day coming up later this week, I thought it interesting to show the members of the House this collection of stuff. I received this in my community office. I thought maybe we had specially wrapped versions of the Magna Carta or something important like that, but no, these are individually wrapped versions of—

**Interjection:** What have you got there?

**Mr Murphy:** You might be surprised by this, Mr Speaker—the Ontario Environmental Bill of Rights, believe it or not.

**Mr David Tilson (Dufferin-Peel):** Who signed it?

**Mr Murphy:** Personally signed by the Premier and of course the Minister of Environment and Energy.

I would have thought one of the first ideas the Environmental Bill of Rights might have included was reducing excessive packaging, but I guess the minister didn't think that was a good idea.

But I also see the Treasurer in the House, and I remember back when he was an opposition critic in olden days and I think in fact he was the chair of an NDP task force on greening Ontario related to his Natural Resources critic portfolio. One of his ideas was that he thought it was important for us to have a greener province and preserve, for example, unnecessary paper, and I thought it interesting to note the copy of his statement to the Legislature from yesterday.

We have fewer than 30 words contained in this statement and he managed to use two pieces of paper to do that. Here it is, a nice little cover page. We open it up inside: 30 words. I hope the government will take the lesson and reduce some of the excess packaging.

#### COMMUNITY COLLEGE GOVERNANCE

**Mrs Elizabeth Witmer (Waterloo North):** Yesterday Monica Himmelman, president of the Alumni Association



of Conestoga College, announced that the association was launching an unprecedented multimedia campaign to raise public awareness of the actions of the Council of Regents with regard to the manner in which members of college boards are appointed.

The association is concerned about the council's proposed policy for appointing people to college boards, which will be based on political correctness rather than on the merits of expertise, interest in the community and dedication to the college. Despite the fact that the Council of Regents has asked for input on this proposed policy until May 1, 1994, recent actions by the council make it obvious it has already started to implement this policy.

The fact that all four nominees put forward by the Conestoga board of directors for two vacancies were rejected and that five other board members were only granted unprecedented one-year extensions to their three-year terms is clear evidence that the council has already started to make decisions based on its new dictatorial policy. This is totally unacceptable.

I support the association and its strong stand against the government's ideologically driven agenda for colleges. I believe that the boards of community colleges should continue to reflect their own communities and that merit and a demonstrated interest and commitment to the college and the community are and should remain the first considerations when choosing college board members.

#### MOTORCYCLES

**Mr Ron Hansen (Lincoln):** Ontario motorcyclists are not getting the respect they desire. In fact they are being abused by insurance companies.

I've heard that many insurance companies have decided not to insure riders this year and I've heard that insurance companies that do specialize in motorcycle insurance will only insure riders who have four or more years of riding experience. I've heard that they are now denying coverage to riders who drive so-called supersport bikes. This is an injustice.

Over the next month it is estimated that 20,000 riders will not be able to find the coverage that they need. A crisis is developing: Riders may choose to ride without proper insurance; others will park their bikes and use more expensive forms of transportation; and hundreds of jobs could be lost at dealerships and in the motorcycle industry.

Riders are being unjustly penalized by their own insurance companies and for no good reason. I've been assured that the government is now working with the insurance industry to sort this mess out, but I've always been bothered by the fact that insurance companies were allowed to do this in the first place.

That's why Mike Cooper, the MPP for Kitchener-Wilmot, and I are calling on the government to investigate the feasibility of public motorcycle insurance and public snowmobile insurance, because we've heard that snowmobile rates have increased also.

Motorcycle riders and snowmobile operators should not be held hostage by the insurance industry. Mr Cooper and I intend to circulate a petition calling on the government

to establish public motorcycle and snowmobile insurance. This injustice must be corrected now.

**The Deputy Speaker (Mr Gilles E. Morin):** Statements by the ministry. Premier.

*Interjections.*

**The Deputy Speaker:** Order.

1350

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### FEDERAL-PROVINCIAL JURISDICTION COMPÉTENCES FÉDÉRALES-PROVINCIALES

**Hon Bob Rae (Premier and Minister of Intergovernmental Affairs):** Mr Speaker, I appreciate the warmth of my reception from members of the opposite side.

**Mr Murray J. Elston (Bruce):** We are here to help you out.

**Hon Mr Rae:** I know that.

I rise today to set out Ontario's objectives in the many and diverse discussions the federal government has started on changes to the Canada assistance plan, education and training, unemployment insurance and immigration.

The issue areas I have just mentioned, as all members will appreciate, are either exclusive provincial jurisdictions or under shared federal-provincial control, yet in recent weeks we have seen federal ministers taking or threatening unilateral action in these areas without serious discussion or negotiations. Some federal ministers claim they want to change these programs, while the federal Minister of Finance has stated categorically that he wants to offload federal spending in these areas.

Ontario and its citizens recognize the need for reform in many of these areas, and we all understand—we all understand—that there is no pot of gold that will miraculously appear to solve either government's revenue problems. Because we all understand that changes must be made to many of these programs, I believe there has to be a serious public debate about how we proceed to recast Canada's social safety net and our education system, for that is what we are facing.

It is for this reason that I want to invite all members of this Legislature to join the debate on these matters, and at the same time I want to set out five principles that will guide my government in representing Ontario's interests in what must be open negotiations.

When the first ministers met in Ottawa before Christmas, we were able to agree on an infrastructure program whose costs would be fairly shared between and among Canadian governments. I took this as a good sign. In the spring of 1992, I had signalled that Ontario would match capital investment by the federal government dollar for dollar. The federal program which emerged after the recent federal election was more modest than what we had proposed, but it was a step in the right direction.

This step has not been matched by fair treatment in other areas of federal policy. Because of the decision of the Liberal government to maintain a systematic discrimination against Ontario in transfers subject to the Canada assistance plan, the federal government contributes far

less for Ontarians who are in need than it does for those living in other provinces.

*Interjections.*

**Hon Mr Rae:** The opposition might not like to hear it, but it happens to be the truth.

The federal approach to training has also ensured that citizens of Canada living in Ontario get less, while Ontario workers contribute far more every year to the unemployment insurance fund than they get in return.

The Canada-Quebec immigration agreement guarantees Quebec a certain amount of money. Quebec now gets about 35% of federal funding for immigration, yet Quebec only receives 18% of the immigrants. For each new immigrant in Quebec, the federal government spends \$1,900; for each new immigrant in Ontario it spends only \$764.

Quand les ministres des Finances se sont réunis à Québec en janvier, le gouvernement fédéral a communiqué son intention de renouveler les ententes de paiement de péréquation pour faire en sorte que les provinces qui en reçoivent verraient leurs paiements augmenter. À ce moment-là, mon collègue le ministre des Finances a indiqué que l'appui de la province de l'Ontario pour le programme de paiement de péréquation, qui est après tout encaissé dans la Constitution, demeurerait intacte, mais que les autres programmes ne pouvaient pas continuer à discriminer de façon systématique contre l'Ontario.

The status quo cannot continue. Canadians living in Ontario have the responsibility of sharing our wealth with other Canadians. We also have the right to a fair share of federal expenditure and understanding. We have not had that, and this must change.

Let me set out some clear principles which we believe will be supported by most citizens of the province and, I would believe, by most members of this Legislative Assembly.

The first is that Ontario accepts and indeed welcomes the need for change and improvement in our social programs and in the fiscal and practical arrangements between the two levels of government. Duplication and overlap is a problem. Our programs need to do more for work and training and our programs together need to do more for children. Whatever we do must be financially sustainable.

The second is that this cannot be an exercise in offloading to the provinces. The fiscal projections in the federal budget are very troubling in this regard, as are the recent decisions by the federal Minister of Immigration.

The third is that there must be no discriminatory treatment against Canadians who live in Ontario. Ontario supports the equalization program, but beyond this, Ontario must receive its fair share and Ontarians must not be treated differently from people in other provinces. The systematic discrimination against this province has to stop.

The fourth is that any reform must reinforce, and not undermine, Canada's record as a compassionate society. In particular, we should be doing more about child poverty and more to make it possible for people to get back into the workforce.

The fifth is that any reform must be the product of genuine federal-provincial negotiation and joint decision-making. It is not a matter of the federal government simply "consulting" the provinces. Many of these programs lie in areas of exclusive provincial jurisdiction, and the federal government must therefore change its process so that we can begin a genuine negotiation.

These are five principles which Ontario will be taking into all our discussions with the federal government. We want to be partners in this process.

Ontario will continue to invest in child care, we will maintain spending on social assistance, we will maintain spending on training and back-to-work programs and we shall continue to discuss with the federal government immediate programs that will address these issues.

But everyone must know that we can only do more in terms of deep-seated reform if we have real knowledge and certainty that the federal government accepts the principles we have put forward and the political will to bring them forward. The federal government's long-term fiscal plan seems to assume a major offload to the provinces. That's what Mr Martin confirmed on Monday. The fiscal discussion and the social policy discussion have to be brought together.

The announcement on Friday by the federal government that it is cutting off payments to certain groups of refugees is a good example of what is wrong. It is a direct offload to us, the province with the largest number of refugees and immigrants. It adds to Ontario's financial burden. It was done with no discussion, no negotiation and no joint decision-making. It adds to the discrimination, since under the Canada-Quebec agreement these appear to be costs Quebec will not have to pick up.

Negotiations are starting now on a potential agreement between Ottawa and Ontario on an immigration agreement. I regard Friday's announcement as a sign of bad faith and bad judgement, but it only has the effect of firming our resolve in these negotiations.

Next week it is my intention to place before the House a resolution on this subject.

Ontario is confident about the future of Canada and confident about our ability to resolve our difficulties. But this requires transparency and trust in the negotiations necessary to keep Canada a great place to live. Ontario and this government are eager to play a positive role in achieving this goal.

1400

**The Deputy Speaker (Mr Gilles E. Morin):** Responses?

**Mr Gerry Phillips (Scarborough-Agincourt):** I want to first assure the Premier that he'll have our full support for ensuring that Ontario does get fair treatment.

The people of Ontario will look for probably four things: a level of cooperation between levels of government, fair treatment for Ontario, fiscal responsibility, and a lack of politics in this matter.

I would say as directly to the Premier as I can that in the first three instances we've seen of you dealing with this, I think you're playing politics.



It was two weeks ago that our caucus sent the government a letter saying:

"One of the key areas for financial consideration over the next year will be the issue of transfer payments from the federal government. The Liberal caucus is very concerned that Ontario receive fair treatment from the federal government.

"We believe a helpful step would be for an all-party finance and economic affairs committee to study this matter in detail and recommend a solution to the Legislature. Because all three parties are anxious to ensure fair treatment from the federal government and because an all-party legislative committee would strengthen Ontario's hand in dealing with the federal government, I am asking for your support to have the matter referred to the finance and economics committee as soon as possible."

That was sent to the government two weeks ago. We've heard nothing from the government. The Premier gets up today and makes a statement demanding cooperation from the opposition, when we volunteered it two weeks ago and have heard nothing from the government.

The second thing I'd say to the Premier is this: When the federal budget came out, the Premier's comment was, "We have been knee-capped." That was your expression. I therefore assumed that something in the federal budget dramatically cut your transfer payments. What I now find, when I phone the ministry officials, is that you received from the federal budget exactly what you had planned in your transfer payments from the federal government—exactly. There was no change.

The Finance officials who came before our committee on February 7 outlined dollar for dollar what they expected to get from the federal government. The budget came out. They got exactly what they had been expecting from the federal government. What we said at the time was, "We're not saying that's fair treatment or not fair treatment, but we are saying you got exactly what you had planned from the federal government." But what does the Premier say? He says, "We were knee-capped."

Second, if you were attempting to get political support from the people of this province, they are going to look for statesmanship activity from you, not what I would regard as cheap politics. I believe your expression "knee-capped," when you got exactly what you have been expecting from the federal government, is cheap politics.

The third thing I wanted to say is that we are in difficult financial times, there is no question about that, but you can't have a double standard. You can't on the one hand say that from the federal government we expect to get what we might have gotten five years ago and then on the other hand, for your own transfer payment partners, change your mind. You promised one thing; you delivered another thing, Premier. You cannot, as we say, talk out of both sides of your mouth.

**Hon Mr Rae:** That's not true.

**Mr Phillips:** The Premier is shaking his head and saying that's not so. That is so. You yourself said, "We have to change our transfer payments."

I want to make those three points. One is that you can be assured of our caucus's support for fair treatment for

the people of Ontario. We will speak out for the people of Ontario in dealing with the federal government, there is no question about that. But I will tell the Premier, the people of Ontario will not sit still for cheap politics.

I believe in these three points: one is in refusing to respond to our letter to you asking to deal with this matter; second is to say you were knee-capped when you got from the federal government exactly what you'd been planning; and third is when you deal with your transfer payment partners in a completely different way than you want the federal government dealing with the Ontario government.

We need to begin to talk out of only one side of our mouth on these matters.

**Mr Sean G. Conway (Renfrew North):** I want to add very quickly that the leader of Liberal Party of Ontario, Lyn McLeod, is in Ottawa today making representations to the government of Canada on behalf of the people of Ontario, who rightly expect their fair share.

I want also to say quite seriously that when a democratic, socialist Premier of Ontario feels the need to make this kind of statement in this Legislature, then we need not ask for whom the bell tolls. The bells tolls for the Canada in which I have grown up. This is a significant but an ominous statement, and I worry for my country.

**Mr Gary Carr (Oakville South):** This statement by a Premier of the province of Ontario is pathetic. This wasn't a statement, this was public whining. In Ontario we have always been the leaders in Confederation. We've now become the whiners in Confederation.

Here we have a Premier who's now setting up a strategy for the next election. What you did to municipalities, universities, school boards and hospitals was not only bad, Premier, it was worse over the last few years.

The public doesn't want partisanship or gamesmanship, they want results, and if you don't want to deliver, I suggest that the resolution we put before the people of this province next week is an election. The person they want out isn't the Prime Minister; the person they want out of office is this Premier.

Typical of the socialists, when they were in opposition, they sat on this side of the House and whined. Now, when they're in power and can control things, all they do is whine again. Don't you take responsibility for anything you do? People want cooperation, not confrontation.

On page 1 he says, "I believe there needs to be serious public debate." What have you done for the three and a half years you have been Premier? Where was the debate? This Premier has done more to dismantle social programs than any other Premier in the history of this province.

We know very clearly that if we give this Premier any more money, all he'll do is go out and blow it anyway. In the early 1980s, the percentage of the revenue we received in this province, with a federal Liberal government and a Progressive Conservative provincial government, was about 18% of the revenues. That's exactly what we have today, the same percentage of revenues. The taxpayers I hear from don't want to give you any more money, because they've seen how you blow it.

This statement is absolutely pathetic, that a Premier of this province is going to continue to whine about other levels of government. The time for partisanship is over. People want results. You're asking now for the input of the members of this House. For three and a half years, on the economy, on education, on health care, we've attempted to give you ideas. At every turn this Premier has proceeded in his own direction, not listening to the people of this province.

Mr Speaker, I say to you very clearly, the public does not believe that this Premier has the answers. The best thing this Premier can do, instead of debating the resolution, is call an election. That's the best thing he can do for the province of Ontario over the next year and a bit.

**The Deputy Speaker:** Before we start oral questions, I would ask the cooperation of the members to make sure you keep your questions short and to the point and your responses brief.

#### ORAL QUESTIONS TAXATION

**Mr Murray J. Elston (Bruce):** My question is to the Minister of Finance. Yesterday I believe that the Minister of Finance was being cute with the people of the province when he said there would be no tax increases. I want the Minister of Finance to tell us today if he will be increasing fees or other charges in his budget.

**Hon Floyd Laughren (Minister of Finance):** I did try and say as well yesterday that not only would there be no new taxes in the budget but that I wasn't prepared to write the budget on the floor of the assembly either.

**Mr Elston:** I understand why the member for Nickel Belt was being so cute with us, because he is obviously preparing to follow the same old game plan, introducing, as he did, the \$50 corporate filing fee, which gives no new service to the corporations of this province. He introduced a \$20 increase on elevating devices. He increased the welding test fee to \$110. A welding test fee being increased to 110 bucks for a person who's in training and who has no job is a real penalty.

I want the minister to tell the province today that he is prepared to say to the people that he will freeze the fees in this budget.

**Hon Mr Laughren:** I've lost track of how many positions the Liberals now have on controlling the deficit, on expenditures, on taxes. It is beyond comprehension. Not only are they saying that they will cut taxes—I guess they're feeling guilty because they didn't do it when they were in office and now want us to do it. I would simply reiterate, all of this will become known when the budget is presented on May 5.

1410

**Mr Elston:** We already know what this guy's going to do. He is going to introduce new fee increases. He is going to increase the fees like those on the Glenora ferry, where he plans to raise a few hundred thousand dollars but in the ultimate end, overall, lose \$48,000. He is going to raise probably more money on court fees, from which he has already extracted another \$76 million. He is going to probably increase the fees for roadside signs, which he's increased already by some 33%. The list goes on and

on: a 30% increase in the cost of receiving a death certificate, which is of course an obligatory acquisition if you're going to be doing anything in processing estates or administration of estates. Why won't the minister announce that he is going to freeze the fees?

**Hon Mr Laughren:** I'll say it again and again and again: This isn't the place to write the 1994 Ontario budget. I know what the Liberal position is. They want taxes reduced, they want fees frozen, they want expenditures increased on all of their favourite programs and they want the deficit reduced. At some point the Liberal Party of this province has to come clean and tell the people of the province what it really stands for, because at the present time nobody knows.

#### FOREST MANAGEMENT

**Mr Murray J. Elston (Bruce):** In the absence of Mr Hampton, who I think was supposed to be here but we don't know where these people are any more, to the Premier: This is Earth Week, and in light of that, there's been a very important document released. The environmental assessment on forest management in the province came out this morning and has been released. I wonder if the Premier and his colleagues can tell us if they are well pleased with the \$20 million that has been expended and the recommendations, indeed not just recommendations, the requirements that are being put forward today by the EA panel.

**Hon Bob Rae (Premier):** I would refer this question, in the absence of the Minister of Natural Resources, to the Minister of Environment and Energy.

**Hon Bud Wildman (Minister of Environment and Energy):** As the member indicated, this is a very important document, and it's quite extensive, as you can see. It has significant recommendations for sustainable forest development. It's over 500 pages. It was tabled this morning. We are currently reviewing the document and the recommendations, and we would be pleased to carry through with the process, as the member may be aware. He may have further questions on the process, but obviously at this point we are currently reviewing the document and we can't fully respond until we've had more time.

**Mr Michael A. Brown (Algoma-Manitoulin):** What's clear from this report is that the government's policies for regenerating Ontario's forests have been woefully inadequate. In 1993, the former Minister of Natural Resources, whom you might know fairly well, announced a new program for forest renewal that said he would increase forest regeneration to 100%. That strategy was based on a greater reliance on natural regeneration. You were going to plant fewer trees but regenerate more forest. Today we have learned the consequences of this policy. The EA board says in its report:

"We have concerns about the province's decreasing financial commitment to artificial regeneration. The adverse effects of cutting timber without investing in artificial regeneration are unacceptable." "Unacceptable" is the word they use. "We are ordering regeneration objectives and financial commitments to be set in timber production policy."



It is clear from that report that the policies of your government are threatening the viability of our forests and of our jobs. In the face of the board's conclusions, will you admit that your policies have failed and that you need to reverse the trend that you put in place?

**Hon Mr Wildman:** Members will know that this process has been long, arduous and quite expensive, and we have now a very extensive report which deals not just with the immediate concerns, which are significant, with regard to the sustainability of our forests, but with the history of the development of the current situation that we now face and makes significant recommendations.

The member will know that the point we have reached now was not just something that developed over the last couple of years and that this report was not just developed over the last couple of years. As the previous member indicated, this has been a long, very expensive process. We will determine how we will respond as a government, and I, as Minister of Environment, will ensure that the Ministry of Natural Resources and the government comply with the recommendations of the EA board, as decided by the process.

**Mr Brown:** This government has reduced the planting and regenerating in Ontario's forests of trees, of seedlings, by 25% since it took power. That is the record of this government. They have been frittering away one of Ontario's most important renewable natural resources. You have tried to justify your declining support for tree planting by saying that natural generation would be enough. But the facts are now in, the jury has reported: We've spent \$20 million and we have 650 pages. You're wrong. We want to see the rubber hit the road. We want you to get the egg off your face.

Minister, are you going to get forestry in Ontario going again? Are you going to make some decisions and get this province to have truly world-class forests for all Ontarians?

**Hon Mr Wildman:** The fact is that until this government came to power, there was no such thing as a forestry policy in this province. We have had for years many, many timber management policies. We have managed the forest or mismanaged the forest historically in this province because we've managed only for timber values.

The value of this report and the work that the Ministry of Natural Resources has been doing is that it looks at all the forest values. It makes recommendations regarding proper management for all values of our forests, and that is the value of this report and the commitment of this government.

#### ONTARIO HYDRO EMPLOYEE

**Mrs Elizabeth Witmer (Waterloo North):** My question is for the Minister of Labour. The Toronto Sun reported that "negligence charges were laid against Toronto Hydro...after interference from Labour Minister Bob Mackenzie or his staff...." This was told in court yesterday.

Mr Minister, have you ever spoken to your political staff member Mr Don Eady about laying charges against Toronto Hydro in the death of Thomas Vanderstarren?

**Hon Bob Mackenzie (Minister of Labour):** I'm aware of the issue that the member raises, and they are, I am sure, aware that the matter is now before the courts and it would be inappropriate for me to make any comments on this while it's before the courts.

**Mrs Witmer:** Mr Minister, when were you made aware that Mr Eady put pressure on the ministry lawyer to lay charges against Toronto Hydro?

*Interjections.*

**Hon Mr Mackenzie:** I'm sorry, maybe the member would repeat the question; I didn't hear it.

**Mrs Witmer:** When were you made aware that Mr Eady put pressure on the ministry lawyer to lay charges against Toronto Hydro?

**Hon Mr Mackenzie:** I hadn't been made aware of that at all, and as I said before, the issue is before the courts and it would be inappropriate for me to respond.

**Mrs Witmer:** Did the Canadian Union of Public Employees or any other body or person—

*Interjections.*

**The Deputy Speaker (Mr Gilles E. Morin):** Order. I can't hear the questions here either. Order, please. The member for Waterloo North.

**Mrs Witmer:** Mr Minister, since you were not able to answer the first two questions, I ask you this: Did the Canadian Union of Public Employees or any other body or person contact you personally with concerns that Toronto Hydro had not been charged in the death of Thomas Vanderstarren?

**Hon Mr Mackenzie:** Once again, I just want to make it clear that I am aware of the issue, but I also know that it's before the courts and I'm not prepared to talk about it while it's before the courts.

*Interjections.*

**The Deputy Speaker:** Can I ask the House to please refrain from shouting. It makes it extremely difficult for the Speaker to hear. Please. The member for Simcoe West.

1420

#### GOVERNMENT SPENDING

**Mr Jim Wilson (Simcoe West):** My question is to the Minister of Health. It's a question regarding a story which appeared in today's Toronto Star. In November 1990 an audit was completed by your ministry which revealed a catalogue of unauthorized spending, questionable accounting and excessive salaries at a Toronto social housing agency funded by the provincial government. This shocking abuse of government funds occurred between 1988 and 1990 at Houselink Community Homes Inc. I have a copy of that report, Minister, no thanks to your ministry. With so much taxpayers' money at stake, why have you deliberately covered up this report done by the auditor?

**Hon Ruth Grier (Minister of Health):** As the member has identified, the report that was reported upon today covered a period from April 1, 1988, to March 31, 1990. When the audit was received by our government in October 1991, I think it was a good example of the kind of open-ended, just paying the bills without asking any

questions or doing any evaluation or looking at the outcomes of a lot of programs which our government has significantly changed.

I'm glad to be able to tell the member that since that audit was received, all audit-related recoveries have been completed and all management and accountability issues identified in the audit report have been addressed with Houselink and have been resolved to the satisfaction of the ministry.

**Mr Jim Wilson:** Houselink provides housing for former psychiatric patients. It receives money from the ministries of Health and Housing. In fact, I have a press release from your government in 1992 that announces with great fanfare that your government was attending a ceremony to open two new Houselink projects.

Minister, I just want to make sure of a few facts here, and one is, did you share this report with the Minister of Housing? I want to know specifically what action either of you took, either the action you took or the Minister of Housing, to correct the abuse that's outlined in this report.

**Hon Mrs Grier:** I thought my first response had indicated that we took the audit of the operation of this home under the previous government very seriously and that all of the issues addressed in the audit had been addressed. Yes, the Ministry of Housing was of course aware of that.

**Mr Jim Wilson:** Clearly, the audit report is a catalogue of mismanagement and waste, if not outright graft, under the former Liberal government, and the report was buried by your government. I ask you again, why did it take a reporter from the Toronto Star, who couldn't get this report through access to information but had to get it through other means, why did it take a reporter in our press gallery to uncover this report?

Minister, I want to know, and I want to know if you'll table with this House, specifically what your ministry has done and what the Ministry of Housing has done to correct the abuse and to make sure it never happens again, that the dollars of the taxpayers of this province are protected when it comes to social housing projects and agencies.

**Hon Mrs Grier:** As I indicated in my response to the first question, I agree completely with the member and with the auditor that it was in fact a misuse of public funds. I also am confident that the misuse has been corrected and has not occurred again.

In response to the article today, which indicates that a freedom of information request had been made, let me say to the member that our ministry has no record of any such request, and had such a request been received, of course the final audit report would have been released. There's no reason not to. I'd be happy to release it to the member if he hasn't got a copy.

#### GAMBLING

**Mr James J. Bradley (St Catharines):** I have a question for the Premier. I'm going to try to ask this—maybe you'll think it's uncharacteristic—in as non-partisan a way as possible because I feel, as I think he does, very strongly about this issue.

I realize that governments are very attracted—all governments; not just his, but all governments—to various sources of gambling proceeds, right across the country, right across North America. There's the offtrack betting, there's casino gambling, there's those break-open lotteries, there's the video terminals that we're talking about.

We're beginning to see some reports coming in from right across the world on the effect on our general society of this trend to gambling by all governments. Is the Premier not concerned that this widespread and rapid movement into all fields of gambling by his own government and by so many governments in North America, while it will raise in the short run a lot of money for government and is very attractive, is bound to have a profound and terrible effect on the most vulnerable people in our society, the poor and the disadvantaged and the desperate?

**Hon Bob Rae (Premier):** I think I'll refer that to the minister.

**The Deputy Speaker (Mr Gilles E. Morin):** Minister.

**Mr Bradley:** Don't answer the question. I was the asking the Premier. I don't want an answer.

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** Well, fine, Mr Speaker.

**The Deputy Speaker:** Order. The next question, please.

#### VISITORS

**The Deputy Speaker (Mr Gilles E. Morin):** Table, could you stop the clock for a minute, please?

I would like to inform the members of the assembly that we have in the Speaker's gallery today a visiting delegation headed by Mr Wanmuhamadnoor Matha, First Deputy House Speaker from the House of Representatives in Thailand. Please join me in welcoming our guests.

#### ONTARIO HYDRO EMPLOYEE

**Mrs Elizabeth Witmer (Waterloo North):** My question is for the Minister of Labour. Mr Minister, I've listened to your responses and I want you to know that you are wrong. Don't tell me that you can't talk about this because it's before the courts. I want to know why a charge was laid when, according to the newspaper, your own Labour ministry lawyer said there was not enough evidence and you laid the charge.

**Hon Brian A. Charlton (Government House Leader):** On a point of order, Mr Speaker: Standing order 23(g)(i) specifically excludes matters that are sub judice from discussion in this House. You know that, Mr Speaker. We should be disallowing these types of questions in this place.

#### Interjections.

**The Deputy Speaker (Mr Gilles E. Morin):** Order, please. The member for St George-St David, you're not in your seat.

On your request, Minister, I'd like to read the following:

"The freedom of speech accorded to members of Parliament is a fundamental right without which they



would be hampered in the performance of their duties. The Speaker should interfere with that freedom of speech only in exceptional cases where it is clear that to do otherwise could be harmful to specific individuals."

I would ask, therefore, if the minister doesn't want to reply, it is his freedom of choice to do so.

**Hon Mr Charlton:** Mr Speaker, on the point that I raised, our standing orders are very clear. They say clearly, "A member shall be called to order by the Speaker if he or she...refers to any matter that is the subject of a proceeding that is pending in a court or before a judge for judicial determination."

The matters that have been raised here are the subject of a case that's before the courts presently and the member should be called to order.

*Interjections.*

**Mr Sean G. Conway (Renfrew North):** I want to make an observation. I have listened carefully to the member for Waterloo North's several questions on this subject. It seems to me that the traditions in this place are that members, within certain general limits, are allowed to put questions and ministers are, as you just observed, given every opportunity to answer in any way they choose, including, for reasons they might choose to cite, declining to answer the question. I think we would all be better off if we continued to operate within that established practice.

1430

**Mr Ernie L. Eves (Parry Sound):** On the same point of order, Mr Speaker: I am a little concerned about the fact that the government House leader was allowed to virtually stand up and challenge a ruling you had already made on his previous point of order. If that's going to be the standard around here, then you can expect me to stand up two, three, four and five times every time a Speaker gives a ruling that the government House leader or I don't like.

I would like to make the point that the member for Waterloo North was asking a very specific question about the minister's involvement. As far as I know, the minister hasn't been charged. If he is, perhaps we should know about that, and there's nothing in the standing orders or anywhere else that prevents him answering questions for matters for which he, as the minister, is responsible. It's as simple as that.

*Interjections.*

**The Deputy Speaker:** Order. I have made my ruling. It is a final ruling, so we will continue now to our question period. Could you please start the clock again? The member for Waterloo North had the floor.

**Mrs Witmer:** My question is for the Minister of Labour. I want to know why a charge was laid when, according to the article in the Toronto Sun, your own ministry lawyer indicated that there was not enough evidence to lay a charge. Why did you lay a charge?

**Hon Bob Mackenzie (Minister of Labour):** The situation is before the courts. It is the prosecution of a company and three individuals under the Occupational Health and Safety Act, and I feel it would be inappropriate for me to respond at this point in time.

**Mr Gregory S. Sorbara (York Centre):** Bye, bye, Bob.

**Mr Eves:** I think you are in trouble, Bob. The question is to you: Why did you politically interfere?

**The Deputy Speaker:** Order.

**Mrs Witmer:** Unfortunately, this entire issue smacks of political interference. The most important issue for us today is to determine whether the Labour ministry has been meddling, not only in this case but in other cases involving workplace accidents. I would ask you, would you support a full inquiry, without delay, in order that we can determine that serious charges have not been brought against other innocent parties?

**Hon Mr Mackenzie:** Once again, the matter is before the courts and it would be inappropriate, as far as I am concerned, to respond, and that's the answer that will continue to be given.

**Mr Charles Harnick (Willowdale):** The court isn't inquiring into why you interfered. They should be. They should be inquiring into that.

**The Deputy Speaker:** Order, the member for Willowdale.

#### HEALTH INSURANCE

**Mr Gary Wilson (Kingston and The Islands):** My question is for the Minister of Health. Minister, last month you announced changes to the rules about who is eligible for coverage under the Ontario health insurance plan. One group of people in my riding who are affected by these changes are foreign students. There are approximately 900 students from countries outside Canada enrolled in secondary and post-secondary schools in the Kingston area. This figure doesn't include the almost 140 families of these students, also living in my riding.

Could you explain why foreign students and their family members will no longer be eligible for OHIP after June 30 and how these people are being notified of this change?

**Hon Ruth Grier (Minister of Health):** In order to safeguard OHIP and our health care system for the permanent residents of Ontario, we've had to make some very difficult decisions, and the decision to no longer cover foreign students was certainly not an easy one to make. I would point out to the member that before foreign students are admitted into Canada, Immigration Canada requires that they demonstrate that they are prepared to meet all of their own costs while here in Canada as well as the costs of their own family members.

I would also point out to him that Ontario students who study abroad are not covered by health insurance in the countries in which they are studying. They are covered by OHIP for up to four years of study abroad.

Finally, let me say to him that of course in the case of an emergency, anybody will be treated by a hospital or by a community health care centre here in Ontario.

With respect to notification, anybody who is here and who is known to the Health ministry as having been a foreign student has been notified that as of the end of June they need to obtain their own health insurance.

**Mr Gary Wilson:** I'm sure you will agree that having

foreign students study in Ontario is enormously valuable. First, the students themselves get a first-rate education, which will be of lasting benefit to them and their communities. Secondly, their native country will benefit from a better-educated citizenry. Finally, in this age of globalization, Ontario stands to profit economically and culturally.

Wherever these students settle in the world, they will recall the generosity of our province and its citizens in providing part of their education. This of course will make future business and cultural exchanges between Ontario and foreign countries easier. This couldn't be more important in today's world, where it's crucial that we do all we can to bring people together.

Minister, what is being done by your ministry to ensure that the cost of OHIP will not prevent foreign students from studying in Ontario?

**Hon Mrs Grier:** I am very well aware of the value to our institutions and to our province of people from all over the world who come here for a variety of reasons. But I'm also very conscious of the fact that the kind of double-digit increases in our spending on health care that we've had until recent years are something that the taxpayers and the residents of this province can no longer afford to sustain. Therefore, as I said in my first answer, we have had to make some difficult decisions in order to define what a "resident of Ontario" really means, and a resident of Ontario for whom our insurance plan is designed is somebody who is a permanent resident of the province.

Let me to say to the member that the change that we contemplated was announced in April 1993, so that it does not take effect until July of this year. The institutions and the people affected have had a great deal of time to prepare for it. It is perfectly likely, and in fact a number of colleges and universities are looking at the prospect, that they can provide an insurance policy for international students through the institution that would considerably lower the premiums that students would have to pay.

#### CONTAMINATED SOIL

**Mr Steven Offer (Mississauga North):** I have a question to the Minister of Environment and Energy and I'm having the page take over a letter which has been provided to me. This is a very serious matter and certainly this week, as we're celebrating Earth Week, I want to talk to the minister about his permission to allow contaminated earth to be used in the Essex county landfill site.

In a letter dated February 28 an official from your ministry indicated to the county of Essex that material it was using for cover at the Maidstone township landfill site on a daily basis contained contaminated soils, including soils from industrial recommissioning projects, gas station remediation projects, oil-well drilling tailings and construction projects.

The letter states: "Please be advised that your use of the contaminated soils as daily cover does not comply with the certificate of approval. These soils are not clean earthfill, as is required."

**Hon Bud Wildman (Minister of Environment and Energy):** That's right; it doesn't comply.

**Mr Offer:** The minister is yelling at me right now, "What is the matter?"

**Hon Mr Wildman:** No, I'm saying that's right.

**Mr Offer:** On page 2 of that same letter, your ministry proceeded to approve the use of this contaminated material for landfill cover at the site and indeed approve the use of other materials including foundry sand, dewatered sludges and industrial waste-water treatment plant material.

Can the minister please confirm that materials that were once banned for use as daily cover at the Maidstone township landfill are now being permitted for use in this regard?

1440

**Hon Mr Wildman:** The member raises an important matter, and as he says in regard to this letter, the official in the ministry wrote to say that the contaminated soils did not comply with the condition. Then on the second page it goes on to say, "They may continue to use these materials" under a list of conditions, and one of those conditions is, "Chemical characteristics and methods of handling the alternative daily cover materials must meet the criteria."

**Mr Offer:** On the first page of the letter it says that the township is using contaminated soils. On the second page the ministry is saying okay, that's now permitted.

By way of supplementary, Mr Minister, your ministry's certificate of approval for this landfill site specifies that before any change to the materials being used can be used, there must be consultation with the technical review committee. It is our information that this did not occur. The technical review committee did not become aware of this request in January to use these contaminated materials as daily cover and the subsequent approval granted in February, and they were not aware of this request until after it had been ordered. March 21, 1994, was the first time they were aware, a full two months after the application was made.

Minister, your own ministry is now a party to the breach of your certificate of approval. You have permitted a pilot project to proceed without any public consultation. You have breached your certificate of approval in two areas.

Why did you secretly negotiate to break the conditions of the certificate of approval issued for the Maidstone landfill and permit contaminated material to be used as part of this experimental project? Why is your ministry a party to the breach of your own approval?

**Hon Mr Wildman:** I thought this was one of the most concise questions, Mr Speaker.

I'm happy to say that the local member, for Essex-Kent, has been very much involved in this matter and has raised it with my ministry staff and there have been discussions. As the member indicated, they were not secret, they were negotiations and discussions going on, and as I understand it, the ministry has decided to suspend any approvals that might not comply with the conditions.



## JOB SECURITY

**Mr Jim Wilson (Simcoe West):** My question involves 2,000 jobs in Simcoe county and perhaps more job losses throughout the province. The Premier was aware that this question was directed to him prior to his leaving, so I'm wondering, Mr Speaker, if you could ask the government House leader to go fetch the Premier and get him in here to answer this very important question.

**The Deputy Speaker (Mr Gilles E. Morin):** The House doesn't work that way.

**Mr Jim Wilson:** Maybe the Premier should start taking this House seriously, and maybe the House should start working for the people of Ontario.

**The Deputy Speaker:** Please ask your question.

**Mr Jim Wilson:** In the absence of the Premier, who doesn't seem to care any more, I ask the Minister of Economic Development and Trade: As representatives from the town of Collingwood and I made you and the Premier aware at a meeting in his office on March 21, the successor rights provisions contained in your government's labour laws are preventing private investors from purchasing short-line rail operations in Ontario. Without this sale to private investors, CN will abandon the rail line between Collingwood and Barrie and 2,000 jobs will be lost in Simcoe county. The National Transportation Agency of Canada has said that it will render its decision on abandonment of the Collingwood-to-Barrie rail line by June 17.

Minister, if you don't move soon, many of my constituents face the bleak prospect of joining the unemployment lines in this province. Can residents of Collingwood and Simcoe county expect a resolution to the problem created by your labour laws before the National Transportation Agency renders its decision on June 17? Yes or no, Minister.

**Hon Frances Lankin (Minister of Economic Development and Trade):** From my experience with the member when he was Health critic and I was Minister of Health, he knows I'm incapable of giving just a yes or no answer, but I'll try and keep it to the point.

I share the concern the member raises with respect to the jobs and the impact on the local economy. The member will know that the Premier has asked me to work with the Minister of Labour and the Minister of Transportation to find a resolution to this issue, not just for that Collingwood area—that's the most important community because it is the first stop—but a provincial solution.

We have been involved in meetings recently, have recently met with Mr Tellier from CN. I'm pleased to be able to inform the member that Mr Tellier has agreed that CN will take no immediate action post the National Transportation Agency decision in the middle of June and there will be at least a two-month extension after that which gives us a bit of breathing space, but it does not alleviate the urgency of responding to the local community concerns.

We are working on it and I'm trying to get a response as soon as possible.

**Mr Allan K. McLean (Simcoe East):** A supplementary to the minister: We have the answer and that's to

amend Bill 40. If the Collingwood and Barrie rail line is abandoned, the Bradford and Washago rail line will be next in line. This will be a profound impact upon the jobs and industries in my riding of Simcoe East. Officials in Simcoe county made you aware last fall, Minister, that private investors would not purchase short rail-line operations because your labour laws made it uneconomical to do so. Seven months later, the clock is ticking and the CN and the NTA have run out of patience.

Minister, rather than rolling the dice with the economic future of Simcoe county, will you agree today to immediately table and support the private member's bill introduced by my colleague from Simcoe West which amends the successor rights provisions of your job-killing labour legislation? Will you support this bill and save jobs? Sixty days pass pretty quickly.

**Hon Ms Lankin:** As I've indicated to the member on a previous occasion, I have been taking action with respect to this issue. Over the past period of time I have met with Mr Tellier on two occasions. I have spoken to him on other occasions with respect to securing a commitment from CN that there would be no immediate action upon release of the National Transportation Agency decision in mid-June.

The member puts forward that they have a solution and the only solution, and I disagree with him on that. I do believe that there are other solutions which we can put in place which will help us secure the economic activity in those communities and retain those jobs.

I share the commitment of the members to that end goal, and pledge to find a solution to reach that end goal. Where I differ with him is that I think there may be more than one solution available to us, and we are in fact exploring that.

With respect to the private member's bill being put forward at this point in time which suggests there's only one solution, I disagree with that and I will not be supporting that.

## SMALL BUSINESS

**Mr Jim Wiseman (Durham West):** My question is to the Minister of Economic Development and Trade. I am greatly concerned about what appears to be a disturbing trend. It seems there are a growing number of small businesses that are being forced out of business, not because of the recession and not because of any provincial government policy, not because they're uncompetitive, but because the banks are clawing back their lines of credit and then eventually calling them in.

Some of these businesses have never missed a payment, only to be put into bankruptcy by the banks, which have more concern for their portfolio balance than they have for the dreams, aspirations and hard work of the small business owners. These actions by banks that were immensely profitable last year are causing a continued increase in job loss and are hampering the economic recovery.

I know that the minister is not responsible for the banking industry, but I do know that she has been meeting with her federal counterpart. After all, the Liberals made such great fanfare about this in the last

election. Why has this activity increased? Can the minister tell us what, if anything, we as a province can do to pick up the pieces of these dreams now being shattered by the Liberal economic policies or the lack thereof?

**Hon Frances Lankin (Minister of Economic Development and Trade):** There certainly is a lot of indication from the small business sector and in fact from medium-sized business and from a number of the companies that we've been dealing with in our sectoral strategies that there's a significant problem with access to capital and in terms of their experience with banks over the last period of time.

I would say part of it is due to the recession. Banks have pulled back on their lines of credit because they've looked at their portfolios. But I share the concern that the member raises. In fact, recent statistics from the Bank of Canada indicate that lending by banks is down in all categories across the board, and that's very troublesome for the viability of businesses out there.

There are a number of areas that are under provincial jurisdiction in fact where we have taken action. We have worked to set up the Ontario lead investment fund to bring more venture capital to Ontario, labour-sponsored venture capital funds. We have put in place the running start pilot project, which is now a full-fledged program to ensure that new businesses can access the new ventures loan program that had been established by the previous government.

There are a number of initiatives that we've put in place to try and help fill those gaps in terms of access to capital. But I share the member's concern. It is a significant one and we have been undertaking a major access to capital review.

1450

**Mr Wiseman:** While I am encouraged to hear that we are doing a lot in this area, despite the fact that the federal Liberal government is doing nothing but continuing the federal Tory policies, I would like to address the specific sectoral problem that is a major issue in our economy, and that is the retail sector. Could the minister please tell—

*Interjections.*

**Mr Wiseman:** I'm trying to do this over the defence of the provincial Liberals for the federal Liberals at the expense of Ontario, but it is difficult.

**The Deputy Speaker (Mr Gilles E. Morin):** Question.

**Mr Wiseman:** Could the minister please tell us what we can do in the province, within the confines of our limited jurisdiction, to help this sector, as many of the small businesses who have been to see me recently are retail. I might add that while the Liberals and the Tories don't care about small businesses in this province, I do.

**Hon Ms Lankin:** If I can indicate one of the things that is a problem when you are talking about the issue of access to capital in any of the sectors—

*Interjections.*

**The Deputy Speaker:** Order. Minister.

**Hon Ms Lankin:** I was indicating that one of the problems you have in examining the problems of access to capital on a sectoral basis is the fact that there is not a database or a collection of data from financial institutions, either federally or provincially regulated, which breaks down that information to show where in fact financial institutions are investing.

With respect to business assistance or investment programs on the part of the provincial government, the retail sector is not a sector that the government has invested in in the past. Usually as restaurants or clothing stores open up in a community they are competing with other existing businesses, as opposed to adding new net employment in a community.

However, the retail sector overall is a sector that is under great threat at this point in time, as we see discount stores, Wal-Mart and others, coming in. We have, as in other sectors, a sectoral strategy under way dealing with the retail sector, bringing diverse people to the table for the first time. I am hopeful to be able to report to the House within the next short while on the outcomes of those discussions.

#### LABOUR DISPUTE

**Mr Steven W. Mahoney (Mississauga West):** To the Minister of Labour: There is currently a strike by foodservices workers against the Marriott Management Services company, which has the food contract to service Queen's University. It should be clear that this is not a strike against Queen's but rather against the company that has the contract. These strikers have decided to picket public areas on the university site, including the student study areas. In an effort to help the students study in peace, the university has obtained an injunction against the union picketing in these areas.

Your Bill 40, Minister, allows this picketing, and the union has appealed the injunction to the OLRB. In any event, the injunction runs out this Friday. Are you prepared to sit by and allow the strikers to disrupt the study efforts of these students at this critical time leading up to their final exams?

**Hon Bob Mackenzie (Minister of Labour):** This is a matter of a collective agreement and of collective bargaining going on. I certainly don't intend to interfere in a collective bargaining process.

**Mr Mahoney:** This is not about the collective bargaining process. The university is not interfering in the collective bargaining process. The mandate of the university is to provide an opportunity for these students to graduate, to pass their exams. How can they possibly study when they've got picketers coming into their study areas to disrupt the peace and quiet that is required to study for a university exam?

Minister, I'm not asking you to interfere in any way in the collective bargaining process. I am asking you, are you prepared to sit by and allow these picketers—not striking the university; very important—to put at risk the results of the final exams of these university students or are you prepared to do something to instruct the picketers not to bother these students and let them study and get on with their year?



**Hon Mr Mackenzie:** I'm sure the university could bring charges if it decided that the law was being broken. In the interim, I'm not prepared to interfere in a collective bargaining situation.

#### RETAIL SALES TAX

**Mr Ted Arnott (Wellington):** My question is for the Minister of Finance and it concerns his tax on you-brews. Members know that in last year's budget the minister announced that he was going to start collecting a 26-cent-a-litre tax on beer and wine made at brew-your-own establishments.

Last November I raised in this House the example of Karen and George Pudsey of Erin in Wellington county. They opened the doors of their you-brew business the day before the minister announced the you-brew tax in the last budget. Their business grew until August, when the you-brew tax kicked in, and drastically declined until January this year when, sadly, they were forced to close their doors. They estimate they've lost about \$100,000.

On Monday the minister announced that he was cutting in half the you-brew tax because of its negative impact on the industry. George and Karen Pudsey have asked me to direct a question to the minister, and I've sent the minister a copy of their letter. Their question is this: How does the government propose to compensate those people whose businesses went under because of this tax?

**Hon Floyd Laughren (Minister of Finance):** I appreciate the courtesy of the member for Wellington sending me over a copy of the letter to which he refers.

When we decided to reduce the tax by 50% and cancel two future scheduled tax increases this year and next, it was because of the difficulties in the you-brew industry to which the member for Wellington refers. There was at the time when we imposed the tax no tax whatsoever on this aspect of their business, the alcohol content, and I think in terms of public policy, that's wrong in the province. I think there should be a tax on all alcohol that's sold in this province. I think in terms of public policy, that's the right policy.

However, I do believe, given what the economists call the infant industry nature of the you-brew industry, that there were particular difficulties associated with this tax. I don't deny that or I would not have announced that we were going to reduce the tax and cancel two future increases. But having said that, I do not for a moment believe that all of the problems in this new industry can be tagged with the tax that was imposed last August.

**Mr Arnott:** The minister's announcement on Monday that he was cutting the you-brew tax was a direct admission that this tax was punitive; in other words, it had a direct negative impact on the you-brew businesses.

When George and Karen Pudsey opened their doors to do business, I dropped in to wish them success. They are a young, hardworking couple who had a dream for a better life for themselves and their family, which died with the introduction of that tax. George and Karen also said in their letter, "Don't start a business, whatever you do, as you'll surely be taxed out of existence and pay for it for the rest of your life."

Minister, we told you repeatedly that this tax would

kill jobs and kill business. My question is, why didn't you listen?

**Hon Mr Laughren:** The fact is that we did listen. It's unusual for a government, at a time when revenues are very, very difficult to obtain, to reduce a tax by 50%. So I do believe that we listened and I would remind the member opposite—

*Interjections.*

**Hon Mr Laughren:** I don't need any smart comments from the Liberals opposite, who raised taxes at a record level when they were in office and never reduced the tax.

**Mr Gregory S. Sorbara (York Centre):** Now you're taking the tax off, now that they're all dead.

**The Deputy Speaker (Mr Gilles E. Morin):** Order. Minister.

**Hon Mr Laughren:** Thank you, Mr Speaker. I believe the member for Wellington is trying to deal with a problem in a serious and compassionate way, and I respect that, which is more than I can say for the Liberals who are barracking opposite.

I understand the case the member for Wellington is making, but I do not believe that, given the fact that in any new sector and for small-business startups, there is traditionally something like a 25% or 26% failure rate in these sectors—

*Interjection.*

**Hon Mr Laughren:** Well, it's a fact of life. You may not like to admit it, but that's a fact of life. There's a high rate of failure or bankruptcy in new sectors anyway. That's simply a fact of life. I know you don't like to hear that, but it's a fact of life. Therefore, I think that to simply blame everything on a tax is simply unfair and makes no sense whatsoever.

**Mr Arnott:** Why don't you cut the tax then?

**Mr Jim Wilson (Simcoe West):** Bring a sledgehammer along to fulfil your own policy.

**Hon Mr Laughren:** I know that you're yacking over there. Why is it that the member for Wellington understands this problem so well and the colleague beside him is just flapping his gums and simply trying to make a political issue out of what I think is a serious problem? At least I give the member for Wellington credit for trying to deal with this in a serious way.

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#### ONTARIO STOCK YARDS

**Mr Kimble Sutherland (Oxford):** My question is to the Minister of Agriculture, Food and Rural Affairs. As I mentioned earlier this week in a previous question, I recently attended the Oxford Federation of Agriculture's annual lobby day with elected officials. One of the issues that was raised that day was some concerns over the Ontario Stock Yards.

As you know, the stockyards have been closed, but a livestock trust fund was set up as a result of that closure. Concerns were expressed as to what is going to happen to the funds, who is going to control them and how they're going to be allocated. Minister, could you please inform the House and my constituents what is happening with this trust fund?

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** I'd like to thank the member for the question. At this time it probably is appropriate to thank the members on this side and on the other side of the House who have written me a letter on this issue because the Ontario cattlemen in many of the areas have raised their voices to individual members, hoping that the government, through the Ontario Stock Yards Board, would make sure that all the money that might accrue from leases of this property would go back to the livestock industry.

I want to assure the member, in fact all members of the House, that we have ongoing negotiations with my senior officials and the various commodity groups. They have made a recommendation to me about a breakdown between all the different commodity groups that have used the stockyards over the years. It starts off with 63.3% of the funds going to the beef industry, 8.3% going to dairy, 12% going to the veal industry etc on down to hogs, goats and sheep.

We have made a commitment to certainly give as much money as we can that we'll receive to the livestock industry, but we have no final breakdown. We have told the livestock industry—and been very honest and up front with all of the groups—that we expect, and my friend the Minister of Finance expects, to get some money in return for the investment that we've made over the years.

Some \$1.3 million is required just to wind up and clean up the stockyards, and the government expects to be able to get some of those costs back. We are willing to negotiate openly with the groups to make sure that this fund is there for the benefit of the livestock industry in the future.

#### FISH AND WILDLIFE MANAGEMENT

**Mr Frank Miclash (Kenora):** Initially my question was to the Premier, but I must agree with the member for Simcoe West that I really believe he just doesn't care about the issues of this province any more.

I'll redirect my question to the Minister of Natural Resources. Minister, some two weeks ago, you met with the Minnesota Natural Resources Department to advise them of Ontario's new fishing regulations and that they were in place to protect the resource. You were quoted as saying, "The regulations we put into place are meant to deal with the conservation plan and we have no intention of relaxing those regulations."

I cannot tell you how surprised I was when your Premier indicated that he was willing to take another look at what you said was non-negotiable. As the deputy commissioner of the Minnesota Natural Resources Department indicated, "The tone from the Premier seems to be different." Who are the people of the province to believe, you or your Premier?

**Hon Howard Hampton (Minister of Natural Resources):** First of all, let me take the member on. The Premier comes to this House more than I ever remember the former Premier, Mr Peterson, being in this House.

Secondly, let me say to the member that if he wants to be helpful on this issue, he should perhaps stop repeating the rhetoric of people from Minnesota. He could be

helpful to the people of Ontario if he would do that.

We have been very, very clear with the state of Minnesota that Ontario intends to manage its resources, that Minnesota must reduce its harvest of Ontario's fish. We have been clear on that. The Premier has been clear on that. Minnesota would prefer to see it otherwise.

I can say to the member, he is not being helpful by taking Minnesota's line on this. Frankly, let me ask the member this: Where was he and where was his government when this activity was going on between 1985 and 1990?

**Mr Miclash:** I don't think the minister heard what I said. The deputy commissioner of the Minnesota Natural Resources Department indicated, and I quote, "The tone from the Premier seems to be different."

**Mr Minister,** I don't disagree with what you're doing. You know that the tourist operators agree with you, the anglers agree with you, most of my constituents agree with you, most of your constituents agree with you as well. But why is it that your Premier does not agree with you when it comes to the fish stocks of this province? He has indicated that he will take another look at this matter.

**Hon Mr Hampton:** Again I would say to the member that if he really wants to be helpful on this issue, he should stop taking the interest of Minnesota. MNR staff have worked on this issue for the last three years. I have worked on it for the last year. The Premier has met with the governor of Minnesota to state to him again and again what Ontario's position is.

If the member wants to repeat the rhetoric from Minnesota, that's for him to do, but he's not being very helpful to his constituents and the people across north-western Ontario in taking that position.

#### FIREARMS SAFETY

**Mr Leo Jordan (Lanark-Renfrew):** My question is for the Solicitor General. Thousands of experienced hunters in Ontario are outraged that this government is compelling them to take the Canadian firearms safety test. Minister, can you tell me why you have chosen to force experienced hunters to waste their time and money on something they do not need?

**Hon David Christopherson (Solicitor General):** Let me say first of all, let's be very clear that the legislation the member refers to is Tory legislation. I would say there's a feeling among the provinces, as there is among hunters and anglers and others, that the job was not well done and it wasn't completed.

Whichever side of the argument you might be on, it was a piece of work that did not achieve anything near what anybody felt should be done in the area of gun control, and I offer that up from all sides of the issue. It was a very poor piece of legislation on behalf of this province. I conveyed that to the federal ministers and was supported by the other provinces.

Let me say with regard to the issue that the member raises, the matter is one of public safety and it's a question of whether or not we were going to allow exemptions that could indeed allow individuals who maybe should be taking the course and should be taking the test to perhaps not take it. So the only way to deal



with it properly was to ensure that everybody had to take the test, as the federal government has outlined.

I would say, in conclusion, the honourable member should know that every province in this entire nation has taken exactly the same position that Ontario has.

**Mr Jordan:** Are you, Minister, telling me then that you in this province do not have the right to have a regulation that would exempt these experienced hunters from taking this course? Can you not regulate that people in this category can be grandfathered and not be required to take this test?

**Hon Mr Christopherson:** Let's be very clear. The federal legislation did not deal with this question. They left it up to the provinces to make a determination. The provinces collectively had to take a position, the right position, I believe, in the interests of Canadians, because we had to do the job that the federal government didn't do, and that is why you see every single province—Tory governments, Liberal governments and NDP governments—all taking exactly the same position. If the former Tory government of Brian Mulroney and Kim Campbell et al had done the job they should have done, we wouldn't be in here doing cleanup afterwards.

#### FOREST MANAGEMENT

**Mr Tony Martin (Sault Ste Marie):** My question is for the Minister of Environment and Energy. I'd like to ask him, now that the timber management Environmental Assessment Board has reported, what process are you contemplating to see that some of this is implemented?

**Hon Bud Wildman (Minister of Environment and Energy):** The process is quite clear. Under the act there is a 28-day period following the decision of the board for the minister to make recommendations to cabinet or for appeals to be made. At the end of that period, as Minister of Environment and Energy, I will issue an order for the implementation of the recommendations and it will be the responsibility of my ministry to monitor the compliance of the Ministry of Natural Resources to those recommendations to ensure that we do in fact have the proper management of our forest resources in a way that this province has never seen before.

1510

**Mr Martin:** That's all fine and good, and certainly during the report itself there was a lot of consultation done out there and a lot of people had a chance to give input. What are you going to do to make sure that as this thing unfolds now, people continue to have some say in how it's actually implemented?

**Hon Mr Wildman:** As I indicated, there is a 28-day period in which there can be comment and appeal before the final decision is made. But we all recognize that this has been a long, ongoing process. It has been very thorough. A significant number of intervenors have participated in that process, not just from the industry but from the tourist industry, from the anglers and hunters, environmental groups, the naturalists and recreationists.

**Mr Alvin Curling (Scarborough North):** Shoot.

**Hon Mr Wildman:** I guess this member doesn't believe this is an important question, but this has been a tremendous investment. It cost my ministry approximately

\$1.8 million for this process and other ministries and intervenors much more than that, for a total of somewhere in the neighbourhood of \$20 million. It has been an enormous investment to develop a forest management policy in this province, which we've never seen before, and it is important that we respond to it in a serious and thorough manner.

#### WORKERS' COMPENSATION BOARD

**Mr Alvin Curling (Scarborough North):** My question is to the Minister of Labour. Minister, you're aware of the horrible deficit position, of course, of the Workers' Compensation Board, and I'm sure you're also aware of the two ministers in your government who are drawing, on top of their minister's salary, a fully indexed pension from workers' compensation. Are you prepared to approach these ministers to give up their WC pension to assist in decreasing the WCB deficit?

**Hon Bob Mackenzie (Minister of Labour):** I want to say that in terms of the WCB and the problems that exist there, we are working on it and have come forward with plans, which is something I haven't seen from the previous governments, and I think we will deal with the problems at the WCB.

#### PETITIONS

##### FIREARMS SAFETY

**Mr Ron Eddy (Brant-Haldimand):** A petition to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to the minister the Solicitor General's decision on the firearms acquisition certificate course and examination; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course examinations."

It's signed and I have affixed my signature.

##### HAEMODIALYSIS

**Mr Jim Wilson (Simcoe West):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas several patients from the town of New Tecumseth are forced to travel great distances under treacherous road conditions to receive necessary haemodialysis treatments in Orillia or Toronto; and

"Whereas the government has done nothing to discourage a patchwork dialysis treatment system whereby some patients receive haemodialysis in-home and others travel long distances for treatment; and

"Whereas there are currently two dialysis machines serving only two people in New Tecumseth and one patient is forced to pay for her own nurse; and

"Whereas the government continues to insist they are studying the problem, even though they have known about it for two years; and

"Whereas the Legislature passed Simcoe West MPP Jim Wilson's private member's resolution which called for the establishment of dialysis satellites in New Tecumseth and Collingwood;

"We demand the government establish a dialysis satellite immediately in the town of New Tecumseth."

#### SEXUAL ORIENTATION

**Mr Peter Kormos (Welland-Thorold):** I've got a petition here, intended for the Legislative Assembly of Ontario, signed by Helen and Andrew Kovacs of rural route 2, Welland; by Andrew Szabo of 10 Princess Street; Gord Little of rural route 4, Welland; Steve Apai of 95 Lyons Avenue, along with many others in the Welland and Niagara region area. It's a petition addressed to the Legislative Assembly of Ontario and it reads:

"As concerned citizens of Ontario, we, the undersigned, wish to register our objection to Bill 45, An Act to amend the Human Rights Code with respect to Sexual Orientation. Same-sex couples should not be acknowledged in Ontario law."

I table this petition on behalf of those signatories today, Speaker.

**The Acting Speaker (Ms Margaret H. Harrington):** The member for St Catharines.

**Mr James J. Bradley (St Catharines):** Thank you, Madam Speaker. As I do this I would like to, and I know you would like to, compliment the previous Speaker who sat in the chair and allowed for a record number of questions to be asked this session.

#### VIOLENCE

**Mr James J. Bradley (St Catharines):** This is to the Legislative Assembly of Ontario:

"Whereas serial killer trading cards are being imported into and distributed throughout Ontario and the rest of Canada; and

"Whereas these trading cards feature the crimes of serial killers, mass murderers and gangsters; and

"Whereas we abhor crimes of violence against persons and believe that serial killer trading cards offer nothing positive for children or adults to admire or emulate, but rather contribute to the tolerance and desensitization of violence; and

"Whereas we as a society agree that the protection of our children is paramount;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government enact legislation to ensure that the sale of these serial killer trading cards is restricted to people over the age of 18 years and that substantial and appropriate penalties be imposed on retailers who sell serial killer trading cards to minors."

I affix my signature to this petition from the people of Welland and the people of St Catharines, as I'm in agreement with it.

#### HAEMODIALYSIS

**Mr Jim Wilson (Simcoe West):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas several patients from the Collingwood area

are forced to travel great distances under treacherous road conditions to receive necessary haemodialysis treatments; and

"Whereas the government has done nothing to discourage a patchwork dialysis treatment system whereby some patients receive haemodialysis in-home and others travel long distances for treatment; and

"Whereas there are currently two dialysis machines serving only two people in the Collingwood area; and

"Whereas the government continues to insist they are studying the problem even though they have known about it for two years; and

"Whereas the Legislature passed Simcoe West MPP Jim Wilson's private member's resolution which called for the establishment of dialysis satellites in Alliston and Collingwood;

"We demand the government establish a dialysis satellite immediately in the town of Collingwood."

I have of course signed that petition.

#### ONTARIO HYDRO CLOSURES

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** Today I have petitions with signatures numbering 37,650, and these petitions were delivered to the Minister of Environment and Energy, Bud Wildman, by the Power Workers' Union just today. The petitions read:

"Premier Rae, the undersigned citizens are concerned with and disturbed by the recent announcement by Ontario Hydro to close a number of generating units.

"We petition you and your government to appeal to Ontario Hydro's CEO, Maurice Strong, to defer any decisions on any closures until a complete and impartial review can be conducted.

"In light of Ontario Hydro's own admission of not conducting a complete review of all the impacts these shutdowns will have on local and provincial economies, welfare rolls and unemployment numbers, we strongly urge that your government make this request to Ontario Hydro."

If I might, Speaker, because there are 37,650 signatures here, I will carry this box of petitions down to the Clerk's table so that there will be no injuries to any of the pages.

1520

#### ST COLUMBAN'S CEMETERY

**Mr John C. Cleary (Cornwall):** I have a petition signed by more than 350 residents of Cornwall and eastern Ontario which reads as follows:

"To the Parliament of Ontario:

"Whereas all cemeteries in the province of Ontario must conform to the Cemeteries Act which regulates the operation of all cemeteries, crematoria, mausolea, columbaria and burial grounds; and

"Whereas St Columban's Cemetery in Cornwall, Ontario, is not ensuring that the cemetery contain such sewers and drains as are necessary to drain it and keep it dry; and

"Whereas the cemetery backfilled existing ditches with



eight-inch plastic pipe with the exception of where flooding presently occurs; and

"Whereas some residents have spent more than \$2,000 in an attempt to raise the level of their backyards to reduce flooding; and

"Whereas the Registrar of Cemeteries regulation of the Ministry of Consumer and Commercial Relations has been unsuccessful in solving the flooding issue;

"We, the undersigned, petition the Parliament of Ontario to enforce section 19, regulation 130 of the Cemeteries Act ensuring that St Columban's Cemetery keep its cemetery drained and dry and request that the registrar and the Minister of Consumer and Commercial Relations participate in an onsite investigation to rectify the current situation."

The problem has not been solved, and it will not go away. I've already signed this petition.

#### VIDEO GAMES

**Mrs Elizabeth Witmer (Waterloo North):** This petition is to the Legislative Assembly of Ontario.

"Whereas the Theatres Act was amended in 1981 with the intention of keeping certain viewing materials away from children and advances in technology have occurred to such an extent that the concern for children covered by this legislation is negated as it does not cover electronically produced images that are part of video and computer games; and

"Whereas there has been a disturbing increase in the proliferation of violent and sexually explicit video games; and

"Whereas the government of Ontario should be making every effort to regulate the distribution of adult video games and ensure that games designed for adults are clearly marked as such; and

"Whereas Bill 135, the Theatres Amendment Act, 1993, a private member's bill introduced by Waterloo North MPP Elizabeth Witmer, would amend the definition of 'film' so that the electronically produced images that are part of video and computer games come within the purview of the act, particularly the classification system;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That Bill 135 be passed by the Legislative Assembly of Ontario as quickly as possible."

This comes from Irene and Archie Hummel in the city of Kitchener. It has been signed by approximately 100 people, and I assign my signature.

#### LAND-LEASE COMMUNITIES

**Mr Larry O'Connor (Durham-York):** I've got a petition here to the Legislative Assembly of Ontario.

"Whereas Bill 21 has received second reading in the Legislative Assembly of Ontario; and

"Whereas Bill 21 will provide needed protection to owners of mobile homes in mobile home trailer parks and owners of modular homes in land-lease communities; and

"Whereas many owners of mobile homes are threatened with eviction and loss of their investment in

their mobile home by the action of their landlords;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To proceed as expeditiously as possible with third reading of Bill 21."

They're appalled that the opposition has delayed this process, wouldn't allow a good process to take place through the committee process and delayed it. I affix my signature to this.

#### VIOLENCE

**Ms Dianne Poole (Eglinton):** I have 22 petitions here signed by the good residents of Pembroke. This, added to the other petitions I've read within the last couple of weeks, comes to 3,224 signatures we've collected in support of my private member's Bill 76.

"To the Legislative Assembly of Ontario:

"Whereas serial killer trading cards are being imported into and distributed throughout Ontario and the rest of Canada; and

"Whereas these trading cards feature the crimes of serial killers, mass murderers and gangsters; and

"Whereas we abhor crimes of violence against persons and believe that serial killer trading cards offer nothing positive for children or adults to emulate or admire, but rather contribute to the tolerance and desensitization of violence; and

"Whereas we as a society agree that the protection of our children is paramount;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government enact legislation to ensure that the sale of these serial killer trading cards is restricted to people over the age of 18 years and that substantial and appropriate penalties be imposed on retailers who sell serial killer trading cards to minors."

I support this petition, have affixed my signature and would like to commend the Catholic Women's League of Canada for its assistance.

#### EMERGENCY SERVICES

**Mr Jim Wilson (Simcoe West):** I have a petition addressed to the Legislative Assembly of Ontario.

"The Four Counties General Hospital in Newbury, Ontario, provides 24-hour emergency services to an area that covers the four neighbouring corners of Middlesex, Elgin, Kent and Lambton counties. Approximately 16,000 people live in small towns, villages and rural sections of this area.

"Due to a shortage of doctors in the area, the hospital has had difficulty in providing medical coverage for its emergency room on a 24-hour, seven-days-a-week basis. If the hospital cannot get enough doctors to cover, it will have to close its emergency department for part of the 24-hour period. The nearest emergency departments are 40 to 60 minutes' driving distance away.

"We, the residents of the hospital's service area, need 24-hour emergency coverage and want the Ministry of Health and the Ontario Medical Association to resolve the critical issue of medical coverage of rural emergency departments immediately."

I've signed that petition.

#### LAND-LEASE COMMUNITIES

**Mr Drummond White (Durham Centre):** I have a petition here from the residents of the Subway Mobile Home Trailer Park in my riding at Dundas Street East in Whitby. It is to the Legislative Assembly of Ontario.

"Whereas Bill 21 has received second reading in the Legislative Assembly of Ontario; and

"Whereas Bill 21 will provide needed protection to owners of mobile homes in mobile home trailer parks and owners of modular homes in land-lease communities; and

"Whereas this bill has the strong support of our local member of provincial Parliament and is being opposed only by a small number of Progressive Conservatives; and

"Whereas many of these owners of mobile homes are threatened with eviction and loss of their investment in their mobile home"—their homes—"by the action of their landlords;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To proceed as expeditiously as possible to third and final reading of Bill 21."

#### MINISTRY STRUCTURE

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a petition to the Parliament of Ontario.

"Whereas the Ministry of the Environment and the Ministry of Native Affairs are two separate and incomparable ministries; and

"Whereas the abovementioned ministries are at times in conflict with one another;

"For complete and unquestionable representation for each specific ministry,

"I, the undersigned, petition the Parliament of Ontario as follows:

"The immediate separation of these two ministries and the immediate resignation of the Honourable Bud Wildman as the Minister of the Environment."

I have several hundred of these petitions.

#### FIREARMS SAFETY

**Mr Leo Jordan (Lanark-Renfrew):** "To the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun

purchasers to take the new federal firearms safety course or examination."

I affix my signature.

1530

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Haeck from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr24, An Act respecting the City of Hamilton

Bill Pr104, An Act to revive North Toronto Business and Professional Women's Club.

Your committee begs to report the following bills, as amended:

Bill Pr103, An Act respecting the County of Essex

Bill Pr108, An Act respecting the County of Essex and the Local Municipalities in it.

**The Acting Speaker (Ms Margaret H. Harrington):** Shall the report be received and adopted? Agreed.

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mrs Witmer from the standing committee on government agencies presented the committee's 19th report.

**The Acting Speaker (Ms Margaret H. Harrington):** Would the member wish to make a statement with regard to that?

**Mrs Witmer:** No.

**The Acting Speaker:** Pursuant to standing order 106(g)(11), the report is deemed to be adopted by the House.

#### INTRODUCTION OF BILLS

##### LOAN BROKERS ACT, 1994

##### LOI DE 1994 SUR LES COURTIERS EN PRÊTS

On motion by Mr Phillips, the following bill was given first reading:

Bill 152, An Act to prohibit certain types of payments to Loan Brokers / Projet de loi 152, Loi interdisant aux courtiers en prêts d'exiger certains types de paiements.

**Mr Gerry Phillips (Scarborough-Agincourt):** This bill prohibits loan brokers from requiring non-refundable payments, advance payments or deposits from clients.

##### PROVINCIAL OFFENCES AMENDMENT ACT, 1994

##### LOI DE 1994 MODIFIANT LA LOI SUR LES INFRACTIONS PROVINCIALES

On motion by Mr Murphy, the following bill was given first reading:

Bill 153, An Act to amend the Provincial Offences Act / Projet de loi 153, Loi modifiant la Loi sur les infractions provinciales.

**Mr Tim Murphy (St George-St David):** This bill amends the Provincial Offences Act to provide for absolute unconditional charges following up a recent case that interpreted that act as not allowing for that. It's meant to address the concern that because of the absence



of those, some provincial offences aren't being prosecuted. I hope that the House will give support to this.

#### ORDERS OF THE DAY

##### EMPLOYER HEALTH TAX AMENDMENT ACT, 1993

##### LOI DE 1993 MODIFIANT LA LOI SUR L'IMPÔT PRÉLEVÉ SUR LES EMPLOYEURS RELATIF AUX SERVICES DE SANTÉ

Resuming the adjourned debate on the motion for second reading of Bill 110, An Act to amend the Employer Health Tax Act and the Workers' Compensation Act / Projet de loi 110, Loi modifiant la Loi sur l'impôt prélevé sur les employeurs relatif aux services de santé et la Loi sur les accidents du travail.

**The Acting Speaker (Ms Margaret H. Harrington):** We are now resuming the adjourned debate. The member for Mississauga West has the floor.

**Mr Steven W. Mahoney (Mississauga West):** Thank you to the members for agreeing the other day to adjourn the debate so that I could begin afresh, shall we say, in sharing my remarks and concerns about this particular bill.

You will notice that it's called An Act to amend the Employer Health Tax Act and the Workers' Compensation Act, substantially two separate issues. I want to address them as two separate issues because one of the tricks this government has resorted to, in an attempt to get some of its distasteful legislation passed, is to piggy-back issues or to put forward omnibus bills.

The Workers' Compensation Act amendments that I have seen in relationship to Bill 110 make a lot of sense; in fact, they're overdue. It's an issue that many people have talked about. It's the issue of trying to get at the approximately 20,000 companies in the province of Ontario that currently are not registered to pay workers' compensation premiums.

One might ask how that could happen. Well, they simply never came in from the cold, so to speak. Someone would set up a business. They're probably not paying other things. Those companies may not even be paying their share in income taxes, in property taxes and other corporate taxes. We don't know, but there are estimates. It's difficult to know how you find these people, how you sort them out, but there are estimates that there are as many as 20,000 corporations in the province of Ontario that are avoiding, through one way or another, their workers' compensation premiums.

I recently spent some time talking to folks about reform to workers' comp and one of the things injured workers say is: "Before you decrease our benefit levels, why don't you go after the companies that are neglecting to pay their premiums? Before you concentrate on trying to say that all injured workers are fraudulent, go after these companies that indeed are fraudulent."

There was a suggestion made on a recent tour I was on on workers' compensation that we grant an amnesty. That had some appeal to it in the beginning, that we simply announce there will be a 90-day amnesty for all companies registered in the province of Ontario that wish to come in. The reason an amnesty would be needed is that the current law calls for penalties of up to seven years.

Imagine: If you're a company out there and you're not registered and you're not paying workers' comp fees, are you going to declare that and then get hit with a seven-year potential back-payment of your premiums? It will put you out of business.

The idea of an amnesty to avoid these charges and to avoid the complications of being put out of business was put forward as an alternative. I thought that made sense. Many people on the tour I was on thought it made sense as well. Our research staff looked at it and we thought, if there is a way to get these 20,000 companies currently not sharing the load in workers' compensation to come forward through an amnesty, then maybe we should do that.

I thought about that a little more and realized, what incentive would there be? If you did declare an amnesty, why would they come forward? If they're currently not registered and they're not paying other taxes and they're not supporting society the way most corporations and most people in this province do, why would they come forward just because they get an amnesty on penalty payments on WCB? I don't think they would.

We had to say: "Let's look at some other ideas. How do we get to these people?" One of the things we came up with is that there are currently government systems in place that we simply need to tap into to allow for better communication.

What Bill 110 allows for is the interchange of information between the Ministry of Finance and the Workers' Compensation Board. Until now, the ministry could not give information to the board because of privacy concerns. This is exactly the type of thing we should be doing.

I would suggest there's another step that could be taken, and without totally letting the cat out of the bag, so to speak, my report on Workers' Compensation Board reforms will be released on Friday morning, and one of the 36 recommendations we deal with in that report deals with the requirement for every corporation to file an annual return, for which this government has added a \$50 fee or \$50 tax grab for every single corporation in the province, whether you've changed, whether you've moved, whether you've got a new phone number, it doesn't matter.

You could be in exactly the same position you were in 12 months ago. Every year in Bob Rae's Ontario, you have to file a new declaration to the Ministry of Consumer and Commercial Relations and you've got to pay them \$50. It doesn't matter if the company is inactive, it doesn't matter if you're doing business and it doesn't matter if you've made any changes: You have to fill out the new form, and when you send it in without the money, you get a nasty letter back from the ministry saying, "We want your \$50."

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We've objected to that. We find that's just another way that this Treasurer, if you can think of the companies—the member shakes her head no; it's absolute nonsense—it's another way for this government to increase revenue by simply penalizing small business, and we've objected

to that. But maybe you can make some good out of this.

Why not do what you're doing in Bill 110 and use that \$50 tax grab to find those 20,000 companies that are currently avoiding paying workers' compensation premiums? All that would be required, it seems to me, in this day of the modern technical highway, the digital highway that's available, would be to establish a computer link between the Ministry of Consumer and Commercial Relations and the Workers' Compensation Board. If it needs to be done by legislation, then so be it. If there are concerns about the Freedom of Information and Protection of Privacy Act, then do it by legislation as is being done in Bill 110.

Somebody in the government had a light go on and said, "Maybe we can get at those 20,000 people." I'm surprised it took the government this long because this has clearly been a very strong position of organized labour.

The sexy issues politically in workers' compensation surround the fraud charges, the fact that there are people who claim to be injured when they're not, the fact that indeed there are people in this Legislature who currently enjoy lifetime pensions in workers' compensation while they also enjoy the luxury of collecting a cabinet minister's salary. These are the kinds of things that upset people about workers' compensation.

Labour comes along and with some legitimacy says that before you just beat up on the worker here—the facts are that the vast majority of injured workers are truly injured and need the help of the Workers' Compensation Board. That's what Justice Meredith set it up for in 1914. That was the whole principle behind workers' compensation. So their message is, before you just take it out and think that you can solve the unfunded liability by slashing benefits to injured workers or by turning down more and more claims, why don't you get everybody at the table, get the 20,000 people who are avoiding paying workers' compensation premiums and make them pay into the system?

Bill 110, which will allow for the interchange of information, at least puts in place partially a system that should allow the Workers' Compensation Board to identify these companies. I'm not convinced it will, because it may well be that many of these companies are also avoiding the employer health tax. The reality is—think about it—they probably are. If they're avoiding WCB, I suspect they're avoiding EHT and anything else they can avoid. I think somebody over there at least got the message, and the message is that we should use the information that is available within the government computer network system, within other ministries, to share this information, to make sure that we're treating all Ontarians the same.

Hopefully, with the recommendation that will be coming out in my report on Friday and will be tabled with the Minister of Labour, the Premier, the Treasurer or anybody else who needs a little late-night reading, the government will see the sense of at least that recommendation and use that Ministry of Consumer and Commercial Relations' filing system, that \$50 gouge that the government has implemented, to turn it into some

revenue for the Workers' Compensation Board. Revenue, of course, is a big part of the problem in the Workers' Compensation Board as well as expenditures, and this would simply be one way of expanding that revenue base. I have some hope that at least someone has heard the message.

Bill 110 replaces Bill 27, and once again the purpose for doing that is similar to other bills that have been introduced, most of which, by the way, have gone through here in some form or other of closure by this government, because it's unable to manage its own political agenda in the Legislature, to put its ideas forward and get them debated in a proper way. The only solution they have, ultimately, is to bring in time allocation and closure.

The purpose of this bill is to extend the employer health tax to self-employed people, such as doctors and lawyers. Once again, we have a situation where—and this was dealt with because, let's face it, we in our party were the ones who introduced the employer health tax. People seem to want to talk a lot about that. What they fail to say when they talk about the employer health tax is the fact that it also replaced and abolished all OHIP premiums throughout the province.

That was a promise. That wasn't something that we, as the government of the day, sprung on anybody. That was a pledge during an election campaign by David Peterson, the former Premier of the province, that he would eliminate OHIP premiums. Obviously, when you do that, you have to have some way of replacing that revenue. You can't just simply say, "We're going to run a \$33-billion or \$40-billion health care system without any particular mechanism to fund it."

The arguments can be put forward that perhaps it was unfair to transfer it, and that could be a debate of some significance, but one of the problems that was recognized at the time of the implementation of the EHT was the impact on independent business people. Under the terms of Bill 110, the first \$40,000 of net self-employment income for these self-employed doctors, lawyers etc, for these individuals, is exempted from the EHT.

If I'm a self-employed lawyer, I just found a way to get out of this. It's easy. I will simply draw a salary of \$39,999 and the rest of it I'll put out in some form of dividend or profit-sharing or other expenses through the business. Perhaps I'll set up a separate corporation and channel the money, quite legally. I'm not suggesting they would do anything illegal. I'm not suggesting even it's immoral. You've laid the rules down here. You're saying that anybody who earns under the \$40,000 figure, if it's self-employment income, will be provided an exemption. I can tell you that this bill then becomes nothing more than mere paper.

That's part of the problem that was recognized by the former government in implementing it and how broad you can expand it.

**Mr Paul Klopp (Huron):** You didn't.

**Mr Mahoney:** Absolutely, that was looked at.

The difficulty with this bill is that you think it's a panacea at a time, by the way, when times are dramati-



cally different, I would add, at a time when back in 1987, 1988, as we often hear shouted in our direction, we had all kinds of money.

One of the real differences was that we adopted a policy of pay as you go. It was very much a policy that said—

**Ms Christel Haeck (St Catharines-Brock):** Try that again.

**Mr Mahoney:** No. Not only did we not deficit finance, I say to the members opposite, we provided in this government the first balanced budget in many, many years, and in fact actually paid almost \$500 million off the total provincial debt.

Just to give you a comparison, Bob Rae's government, Floyd Laughren's government will have taken, by the time you're all laid to rest, by the time we are reading your eulogies—and there won't be many but there will be some—your government will have taken this province down the road from a \$39-billion total debt in the province of Ontario to a debt somewhere, dare I say, exceeding \$90 billion. You will almost triple the total debt.

People talk about the deficit. You're going to bring out this good-news budget next Thursday, whenever it is, May 5. You come out with this budget. "No new taxes," Floyd says. "Read my lips." As I said earlier, I think he's dancing and what he really meant was, "Read my hips," because I don't think he's being straight.

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What he's going to do is, he's going to take the debt and he's going to transfer it into the crown corporations. You're going to have a crown corporation with a pile of debt to build schools, and yet they'll be lucky if they get the money. We don't quite know. In fact, the separate school board in my own community, Dufferin-Peel, is at last count 29 schools behind in its requirements, based on the enrolment of that school board. Can they ever catch up?

**Mr Anthony Perruzza (Downsview):** Where were they in 1989?

**Mr Mahoney:** Well, let me tell you where they were, my friend. We were the first government ever to give a long-term commitment of capital financing to the school boards. We announced five years so that they could plan their budgeting, so that they knew what they were going to get. We put the money there and we said, "We know it's not enough," and I say to the government opposite, no matter how much money you put into it, it won't be enough. If the Dufferin-Peel separate school board is behind 29 schools and then you add in the problems in other communities, you can imagine, how in the world are we going to build 100 or 200 schools throughout the province of Ontario? I am not suggesting for a minute that this government should be even trying to approach those figures.

But the fact of the matter is that what the Treasurer is doing is fudging the books, setting up crown corporations, moving the debt off the government's books into a crown corporation and then saying, "Aren't we good money managers?" There is a small problem with that.

You can fool some of the people some of the time, there's no question; but you will never fool the bond raters. You will never fool the financial institutions. More importantly, you will never fool the investors, who are the people, who lack complete and total confidence in this government and in this Premier and in this Treasurer.

What is your solution? Your solution is to bring in more taxes. I hear stuff about all the taxes the Tories brought in and the Liberals brought in over the years. I hear about, "This government abolished the tire tax." Great round of applause in the budget debate that day, members will recall. You were all trained and ready to applaud on cue. And you abolished the commercial concentration—oh, I'm sorry—the "hated" commercial concentration tax. Whenever you say that, you have to say "the hated tax."

What that did was, that took out of the consolidated revenue fund total revenues of about \$110 million. Some \$110 million taken out of those two taxes, the hated commercial concentration tax and the tire tax.

Then a couple of paragraphs down in that same budget document, there was a great announcement that didn't quite get the same kind of applause from the back bench, and it was to impose a tax on insurance premiums. Interesting.

Do any members here know how much revenue was generated from the tax on insurance premiums? Does the member for Downsview know the answer to that?

**Mr Perruzza:** No, you tell us.

**Mr Mahoney:** Let me just help you out. It was about \$700 million. We're talking about a revenue shift of \$590 million in more tax revenue for this government. "Hurray, we got rid of the tire tax. Hurray, we got rid of the commercial concentration tax. And oh, by the way, we put in another tax—but we don't want to tell you about that—on insurance premiums."

Do you know the problem? There is no choice on insurance premiums; none whatsoever. You haven't told us what you're going to do with the money. You let it sink into the black hole of the consolidated revenue fund to try to make this Treasurer look like he's even got a clue about how to manage the finances of this province. An absolute charade, a sham, close to dishonest.

You brought in a tax—who can live in this province without insuring their automobile? It's against the law. You don't need collision, but if you've got a bank loan you're going to need collision or you won't get the bank loan. If it's a car you paid cash for and you decide you want to run the risk, you don't need collision but you've got to have liability. It's the law in Ontario. Do they have a choice? Do they have a choice on insuring a house, an apartment building, a small business for liability? Do they have a choice? They have no choice.

So I just ask the government to be a little more forthcoming, a little more honest, a little more open when you talk about your taxation policy. I am quite sure there was another reason for bringing that in: People's policies expire at different times throughout the year. It's an issue of divide and conquer. You won't get everybody mad at the same time. Some of the policies come up in April,

some of them come up in September, some of them come up in January and people don't really get angry, they don't pay attention until it hits them right in the backyard or right in the back pocket.

Every once in a while constituency telephones will ring and people will say, "I just got my insurance premium." I got a call yesterday from a senior citizen in Mississauga who said: "I just got my policy renewal. What is this tax?" I felt like saying, "Sir, where have you been?" But I said I understood the fact that not everybody, contrary to what we believe, pays attention to Ontario politics every day.

The fact is, only 2% of the population of our entire country belongs to a political party of one description or another, so a very small minority of the population is actively involved in politics. Also, a lot of the issues get buried on the editorial page. We have to understand that people don't get hit with this stuff until they get their bills.

This government's solution is to pretend they're being heroes by eliminating certain taxation that a former government might have put in place and by announcing another grab that is by far—well, it's five times the tax grab of those other two taxes combined.

The past—what is it now?—10 days, maybe not quite 10 days; about five or six days—

**Mr David Turnbull (York Mills):** How big was the—

**Mr Mahoney:** You'll have your chance—about five or six days of legislative days. For five or six days—

**Mr Turnbull:** Believe me, I will take it.

**Mr Mahoney:** I was interested to hear the critic for—I'm not sure what his role is but I guess he's the Finance critic or Intergovernmental Affairs critic—earlier today going on at the Premier and his statement, saying he should cut down the partisanship. An interesting comment coming from one of the Conservatives, who seem to spend their lives just pointing all over the place trying to blame everybody else.

I remember the days really well under Bill Davis when I was on municipal council in Mississauga. I remember the days really well and, believe you me, sir, you were not around at that particular time. You may have been practising law or doing something else but, believe you me, the Bill Davis pink Tories were no angels when it came to taxation. I can recall many a transfer payment being cut out from underneath the legs. You talk about the Premier saying, "knee-capped"; let me tell you, Bill Davis, Dennis Timbrell and all of your glorious former Tory cabinet ministers I think invented the art of knee-capping municipalities and school boards.

Mind you, I think it's been taken to a new level by the NDP. It's interesting to me to see how often the NDP and the Conservatives in this province get into bed with one another. It must be awfully uncomfortable. It's a little bit like that stuff you hear in Ottawa about, imagine, the Reform Party and the NDP forming an alliance in the federal Parliament. Somehow I find it difficult to understand, but maybe we've seen a forerunner of that.

I know on second reading of the social contract the

Conservatives in this Legislature voted in favour of that bill; of course, they changed their vote when they came under tremendous pressure, I'm sure, from their constituents, and voted against it on third reading. It was awfully strange to see Mike Harris and the Conservatives climbing into bed and saying: "Excuse me, Mr Rae, Mr Laughren, would you mind moving over? We want in. We agree with what you're doing." But they did.

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I was about to say that for the past six or so legislative days in this place we've done nothing but talk about tax increases by this government, we've done nothing but address how they can increase that black hole, how they can increase their revenue without talking about creating any kind of confidence or any sense in the private sector that they've got a chance to survive.

We recently put out a document that I'd like to share with you. It is called The Report of the Lyn McLeod Task Force on Jobs. I commend this to all of you; it's excellent reading. The vice-chair, the member for York Centre, the honourable Greg Sorbara, former Minister of Labour et al, is joining us. This document puts out what we refer to as a five-part plan for success rather than just continuing to bash small business and anybody who tries to get up.

Just when the economy's getting up, just when the small business persons are starting to get to their feet, along comes Rae and, boom, smacks them down again with more taxes. Six days of debate in this Legislature on tax increases, on revenue increases from this government. Why don't you wake up and try to say something positive that just might give an investor some hope for the future of this province? They're frightened to death, and you don't understand: They're leaving. There are moving vans going down the QEW and crossing the border because of Bob Rae and the NDP.

What you have done to this province is sad. You will be held accountable. There will be a legacy that you will not be able to defend, and the people will show you what they think about that when you finally have the courage to call an election.

Our five-part plan under the Lyn McLeod plan, under her leadership, is as follows:

"(1) Charting a Bold New Course...to get the commitment of all of Ontario to the benefits of embarking on this vision...one that embraces the future and gears the economy to that future."

You've got to think in terms of starting the engine. You've got to think in terms of allowing the private sector to have an opportunity to move ahead to create jobs. You won't create them. The jobs you will create will be short-term. Build some subways; we need them. Fine. But when they're built the job's over, and you don't understand that.

You've got to let the economy breathe. That's our second point. The stifling—we've seen nothing, no attempt to reduce or eliminate the red tape, and what do we do? We're in here talking about expanding a tax bill that is so full of loopholes the private sector is laughing at it.



In fact, what you're doing with this bill is, I would tell you, creating more work for the chartered accountants, and I'm sure they're appreciative. At this time of the year, of course, they're awfully busy. We're two weeks away from filing our income tax and they're busy, but once that's over they're going to get a copy of this bill and they're going to say: "Aha. All of my clients can avoid this by only declaring \$39,000 worth of income"—that's job number one—"and why don't we just set up some trust funds and some methods of moving the money out?" You just don't get it. I don't know where you think you're going to get any revenue out of this thing.

The fact of the matter is that what you should be doing is concentrating on helping certain specific industries. How about the hospitality industry? I was recently in Sault Ste Marie at the Water Tower Inn with my good friend Mike Quinn—Mike's probably watching; Mike's a crazy guy—and we were talking about the impact on small business in Sault Ste Marie.

Why not put in place some ideas that will encourage the entrepreneur? Instead, what do we do? We get a member here talking up. They want to blame the banks. If they can't blame the banks, they want to blame the feds. I just wish for once you would accept your responsibility and look in the mirror and say, "I have found the problem." There it is; every morning Bob Rae and Floyd Laughren can identify the biggest problem that this province has got. It is not reforming taxes, it is not increasing taxes; it is reducing taxes. If you reduce the percentage you will increase your revenue. When are you finally going to get to understand that?

**The Acting Speaker:** The member's time has expired.

**Mr Mahoney:** I thank you for the opportunity of speaking to this legislation.

**The Acting Speaker:** Now we have time for questions or comments.

**Mr Larry O'Connor (Durham-York):** I listened intently, and a lot of government bashing usually seems to take place when we discuss money bills.

I had an opportunity earlier on this week, as parliamentary assistant to the Minister of Health, to go to Mississauga, to Medtronic. They've introduced a new pacemaker and they've got an international approval rating. They're investing here. All the Latin American parts of the corporation are run out of Canada. It's high-tech.

**Mr David Tilson (Dufferin-Peel):** What's their health tax?

**Mr O'Connor:** I guess people would say, "How much money are you putting into it?" I think that's what I heard from the member from Dufferin here. The fact of the matter is, these corporations are developing here and it's not government money. The fact of the matter is, the global market for health products today is around \$300 billion and people are investing here.

I was also in the Mississauga area a week ago touring a health-related facility, EFOS, Engineering Fibre Optic Systems, and again they're investing, when they could be investing anywhere else in the world, here. The fact of the matter is that yes, it's because of programs like Jobs

Ontario which recognize that for business people—we didn't just reduce taxes for business people. We did that, yes, but that's not all we did. We put together a program, we had some interaction, said let's recognize the cost of training employees. You know, EFOS has actually used some of those dollars. They got people trained through Jobs Ontario; a lot of rhetoric in this.

I was up to Aurora this morning, just outside of my riding, to take a look at Torcan. It's a pharmaceutical research laboratory, and it's all good news. Their employees are growing all the time.

**The Acting Speaker:** The member's time has expired.

**Mr O'Connor:** Let's take a look at some good news once in a while.

**The Acting Speaker:** Further questions or comments?

**Mr Gregory S. Sorbara (York Centre):** I only had an opportunity to hear a brief part of the speech of my friend from Mississauga West, and I see that obviously not many members of the government party were listening very carefully.

We spend a lot of time, particularly on tax bills, discussing the overall performance of the government. When you cut away all of the rhetoric and all of the shouting and screaming, the reality in Ontario over the past four years is the most dismal economic performance of all of the provinces in Canada and one of the most dismal economic performances of any similar jurisdiction in the western world and certainly in North America.

I personally do not lay all of the blame for that at the feet of the Bob Rae government. It would be foolish to suggest that every single economic problem that Ontario confronts right now is the fault of Bob Rae and the policies and principles and taxes and legislation that he's brought forward.

The thing that really troubles me, and this troubled me particularly as we went through the two and a half months of hearings of the jobs task force that, as my friend said, I and Gerry Phillips chaired, is that the government fails to acknowledge, I guess much like any government in Ontario, any kernel of responsibility. It's always somebody else's fault. It's the fault of the worldwide depression, according to Bob Rae, it's the fault of—today we heard it in ministers' statements—the federal government, and now, a new twist to Bob Rae's lecture on whose fault it is, it's the fault of the province of Quebec, which is getting more than its share.

This business of seeking to blame others is the thing that is destroying us in Ontario, and we really have to stop it.

**Ms Haeck:** I wanted just to take a couple of moments to respond to some points that the member from Mississauga brought forward today.

I have the privilege of sitting as Chair for the standing committee on regulations and private bills. During that time, the last year or so that I've held that position, I have had many opportunities to have private bills come before me for revival of corporations that have been in default of keeping their information before the Ministry of Consumer and Commercial Relations.

What always amazes me is to hear the comments made

by members like the member from Mississauga, where he casts aspersions on the \$50 filing fee yet he doesn't put into place the fact that in order to be revived as a corporation under the procedures of this House and this Legislature, the corporations would have to spend well in excess of \$1,000 to achieve their proper standing as a corporation.

I ask those viewers out there to listen with a rather large grain of salt to these comments, because the \$50 filing fee, weighed against the more than \$1,000 that it could cost a company for not maintaining its records properly, is I think actually a minor expense.

The member from Mississauga should actually take a look at the current Ontario Gazette and see the list of corporations which are currently under default for not keeping their information up to date with the Ministry of Consumer and Commercial Relations. I'd say that's a pretty large expense for those corporations to encounter.

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**Mr David Winniger (London South):** I too listened very carefully to the remarks of the member for Mississauga West, and quite frankly, I was astounded by some of the allegations he's made in the House today.

If we go back and look just four years ago at the situation in Ontario, where the Liberals had just come through some of the most prosperous years this province has ever seen, all of us were a little mystified when they called an early election in 1990. But you don't need a crystal ball to know why. They knew that tough times were right around the corner. They knew we might be entering the worst recession since the 1930s, not only a cyclical but a structural recession where the recovery would be extremely long and protracted. And instead of inheriting a balanced budget, which the Liberals trumpeted during their 1990 election campaign, we opened the cupboard and found that the deficit we came into government with had already climbed to at least \$250 million.

Since that time, instead of pointing the finger of blame, as the Liberals like to do and the member for Mississauga West has attempted to do today, we've taken a very constructive approach where we've offered to go in and help industry recover during these very difficult times, and we don't have to look far to see the results and the success of that endeavour.

We look at Provincial Papers in Thunder Bay. We look at Algoma and Sault Ste Marie, Kapuskasing, Hamilton, Windsor. Across the province, the government has entered into partnership with business to bring back some of those jobs that were lost during the recession. We know that in the last four years we've been in government, over 300,000 jobs have been created in this province, and we remain undeterred in turning around the deficit situation and renewing our economy in Ontario.

**The Acting Speaker:** Now we have reply from the member for Mississauga West.

**Mr Mahoney:** The analysis is really quite something. I'm not sure I heard this, but I think I did: We called the early election because we wanted to lose and thought, "Well, let's let them try it." We wanted out; we'd had enough of government. That's the logic.

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** That's pretty clear.

**Mr Mahoney:** If that's what you guys believe, fine, that's good.

Then the member for St Catharines says, "We put a \$50 fee on every business in the province to save them money." That's what I heard her say. "We're going to save them money, because if the poor souls happen to go into default of whatever the requirements are under the Corporations Act, it's going to cost them \$1,000 to get back in business."

That logic is clearly an example of what is wrong with the New Democratic Party and this socialist government.

They don't want to pay it. If their business goes out of business, let them go out of business. Let them die in peace, for God's sake. Don't be harassing them every year to put 50 bucks in your pocket and to file a new document when nothing has changed. That is absolute, incredible nonsense to use as justification.

Let me talk to the member for Durham-York. I'm delighted to know you were in Mississauga. It's too bad you didn't spend some time and go to city hall and meet the mayor or talk to the business development people in Mississauga, because maybe you'd get an idea of why those businesses are expanding in the city of Mississauga.

Let me tell you something. They're not doing it because of you, they're doing it in spite of you. They're doing it because our city has got a balanced budget with reduced taxes, because it's debt-free, because it's got an atmosphere and a community that is second to none in this province, a place for people to work and live and raise their families in peace and harmony and affordability. You don't even know what that means.

**The Acting Speaker:** The member's time has expired. Further debate?

**Mr Tilson:** I'm pleased to make a few comments with respect to Bill 110, which deals with the extension of the employer health tax.

This is a bill, of course, that came out of the 1993 budget, the budget where one of the Toronto papers said, "They're even taxing dirt."

Dealing specifically with the issue of health, this of course has been a problem for all governments, the issue of, how do we pay for the health service? Should it be free? The attitude of, do we have any idea what it's costing us when we go to see a doctor or anyone in the health service?

There's the issue of fraud, which hasn't been well handled by this government. The Liberal red card, which was developed by the Liberals and brought forward by the NDP government, hasn't worked. It's been shown to be full of fraudulent activity, people who had cards who shouldn't have had cards, and the tremendous expense that is going on.

Finally, the third issue, which is what this bill is all about: Who is going to pay for our health services? That's a topic that many of us continually have in our minds when we look at the size of the health budget and the cost to the taxpayer.



This bill of course is an extension of the bill that was introduced in the past by the Liberals to replace OHIP payments. I think the Liberal bill was entitled Bill 47. This bill now extends the employer health tax to self-employed people: partnerships, professionals, doctors, lawyers, engineers, commissioned sales people, farmers, people involved in the fishing industry, all kinds of people who are self-employed—who, I might add, if they are already employing people do pay a health tax for their employees. I don't think anyone's ever referred to this, but it's almost a form of double taxation. I hope the government takes a look at this.

The government talks about its Jobs Ontario, which I'm not sure is working, with the unemployment that continues in this province, the fear people have for their jobs. A lot of these jobs that occur in the province come from small business, and yet we're adding on to it, more and more, what the small business person has to pay to keep going, and they can't afford to pay. Jobs are moving away from this province.

I know members will stand up and they'll give quotes of visits to various ridings where new businesses are occurring, but that isn't what the statistics say. I'll be referring to those statistics as we progress in my comments this afternoon, that people are moving away, that small businesses are closing. Small businesses are closing.

It's estimated that this tax will put \$35 million in the provincial coffers and will affect up to 45,000 people in the province of Ontario. To date, only 35,000 people have registered for the employer health tax. The difficulty is that these small business people are going to be taxed. Whether they're making a profit or whether they're not, they're going to be taxed. Whether you're making a large profit or whether you're making a small profit, these small people—the farmer, the engineer, the professional individual, any individual who is operating their own business—are now going to be taxed whether they're making a profit or not, notwithstanding the fact that they're already paying for employees. That's a principle we can't forget.

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Normally, many of our taxes are based on what you're making; it's not a tax on the poor. Many of these people aren't exactly well off as a result of the recession and the political philosophies of our governments of today, whether it be provincial or federal. They're dying out there, and this tax is going to be levied on the self-employed individual whether or not he or she is making a profit.

People who earn less than \$40,000 are exempt from the tax, as are corporations, limited partners, trusts, non-residents who do business in Ontario, and status Indians who are self-employed and operating an unincorporated business on a reserve do not pay the employer health tax.

It gets back to the question, how are we going to pay for our health services? Yes, there were problems with the OHIP system, there's no question. The Liberals tried to fix that, but it was a miserable failure. There's fraud all over the place. I made a statement in the House last week and produced two health cards that I was able to

obtain. My card was falling apart. I made an application. I now have two health cards, a rather remarkable situation. People are getting cards all over the place, and they are being used in fraudulent fashion. There's no way to stop the fraud.

Perhaps the government is just trying to raise money in this province for the general consolidated revenue, perhaps they're trying to pay for health services, I don't know. My guess is that it has nothing to do with that, particularly when we look at the slowness of the government with respect to solving our health expenses, the fraudulent activity.

This bill will in fact, I believe, be inequitable in that it will narrow down the number of people to a smaller group that are paying for our health services, as opposed to all of us. Many of us in this province have no idea, if you go to see a doctor or anyone else that's covered under our health plans, what that service costs. We could go any number of times. It's free. I believe we all abuse it. I believe doctors abuse it. I believe that everyone in the system abuses it. We all abuse it because it's free. Well, it has to be paid for. That's the problem. The cost of health is mushrooming. I don't know what it is now. It was a third of our budget. It's at least a third, if not more. There doesn't seem to be any control on it.

I know the Minister of Health has promised that she's going to bring forward a new system. I sat on a committee prior to Christmas and listened to Mr Decter promise a new health card system, although we have yet to see it. We've got a real problem with health, and I don't think the answer is in this bill, to be passing it on to the farmer and the self-employed individual and the professional. I don't think that's the answer.

To date, the Ministry of Finance spends \$1.5 million on staffing charges, and there are 25 to 30 people employed by the government to administer the employer health tax. Direct operating expenses are \$0.5 million, making the total \$2 million. That's another issue. When you get into this business of filling out forms, if you look at the bill, we're going to have more forms; it's just another form that's got to be filled out. We're going nuts with bureaucracy. We're going to hire more bureaucrats to administer this legislation. I can say that I'm not in favour of that, not in favour of simply expanding the bureaucratic system.

This bill was introduced, as I indicated, in 1989 by the Liberals as part of their election campaign to eliminate OHIP premiums. It was known as Bill 47. It went into effect in January 1990. It imposed a new payroll tax on employers who had a permanent business in Ontario. Again, the philosophy of that bill is to restrict as to who's making the payment.

Health services should be paid for by all of us. Those who cannot afford the health payments should be compensated. This bill narrows down the payments to a fewer number.

Progressive Conservatives were opposed to this tax because it was a payroll tax, which is in effect a tax on job creation. It's going to be a burden on small and marginal firms. That's exactly what this tax is. It is going to be a tax on job creation. The government stands up on

a daily basis and boasts about its Jobs Ontario program, which is rather restrictive. Jobs Ontario, to my knowledge, isn't really helping the small business person. Yet you're putting a health tax on a small business person to pay for a mushrooming health system that is completely out of control.

We tried to amend the bill to provide employers with a \$400,000 deductible, to exempt payrolls of small and medium-sized firms, to exempt transfer payment recipients and to freeze the tax rates. None of these amendments passed.

If you're in a small business, any of the individuals we've spoken to and to whom this particular bill will apply, let's run down the types of payroll taxes that the small business person pays. It's tough out there.

People have to pay for unemployment insurance. Yes, that's a federal tax, but they have to pay for that, the types of individuals who are being affected by this legislation. That's \$4.30 per \$100 of payroll, with a maximum of \$1,743.56 per employee.

Then we have Canada pension. That's another deduction, another piece of paper that the small business person has to deal with in trying to stay alive in this province of Ontario. Yes, that's a federal law, a federal tax, but it does affect the small business person we're all trying to keep alive. Yet we're having a great deal of difficulty keeping the small business person alive. That is \$2.60 per \$100 of payroll, with a maximum of \$806 per employee.

Now you've got the employer health tax, which is a provincial tax brought in by the Liberals. That is 1.95%, with no ceiling whatsoever. Then, of course, we've got the workers' compensation deduction, which is 0.2% to 20.15%, depending on the business, and that's to a maximum of \$53,900. That is another subject, which the government has a commission on that is probably doomed to failure, but I wish them well. Certainly that's a concern to the small business person, these various deductions. Then there's a tax on insurance of 1%.

I don't know how many of you people know small business people. Many of you may be small business people. But you have to have a bookkeeper to handle all this stuff. It's impossible, unless you spend hours at night—many of these people have to, because they run their business during the day; they can't afford any other staff—to fill out all the paperwork.

The paperwork, the accounting that goes on for all of these funny forms that have to be prepared, not only for the federal government but for the provincial government, is driving people crazy. Yet here's another series of paperwork and another series of bureaucracy that's being added to these people. There's the cost of accounting that is being added to the small self-employed individuals as a result of this bill.

Payroll taxes cumulatively, all of those taxes I've listed, add an average of 11% to 12% to the cost of each Ontario employer's payroll. Mandatory vacation, vacation pay, push the government-mandated costs to 18% to 19% of payroll. It's tough to do business in Ontario.

To challenge some of the speakers from the government who talked about all the new business that's coming

to this province, I'll tell you that if you're coming to this province and you're from another province or if you're from out of North America or if you're from the United States, people are going to look at all these things. People are going to look at the bureaucracy and the tax system and what it has to be to operate, particularly a business such as this, and they're not going to be pleased, and they're not pleased. I submit that the response the member who responded to the member for Mississauga West gave isn't accurate, because that isn't what the statistics are revealing. There is a major problem.

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Then you've got to collect all this stuff. You've got to collect the GST and you've got to collect the PST, so there are all kinds of things that the small employer has to look at. There's licensing and there's health and safety and there's pay equity and employment equity. It's bureaucracy. We're sinking. This province, this country in many cases but particularly this province, is sinking in paper, just paper, let alone the tax that they have to put up with to operate.

I would like to refer to, and I believe this has been referred to in the past, submissions that have been put forward by the Canadian Federation of Independent Business. This is a report that was prepared on January 31, 1994. It was prepared in response to the Fair Tax Commission and in anticipation of the 1994 budget. There are a number of sections that if you haven't referred to it I'd get a copy of this, because it doesn't deal just with employer health tax; it deals with a number of taxes and the effect that has in operating this place of Ontario.

They spent some time with respect to health tax. I'm going to ask the Speaker's indulgence to read some of the submissions that the Canadian Federation of Independent Business made because I think they're noteworthy to put into the record.

"Payroll Taxes"—this is on page 2 of the report—"Ontario's excessively high workers' compensation payroll taxes are very much part of the overall tax load which is punishing small businesses and acting as a disincentive to employment."

The Fair Tax Commission's view, that there may be room to increase payroll taxes in Ontario: They simply don't accept that. "In this province, a very heavy load of profit-insensitive local taxes is heaped on payroll taxes"—all of which I have tried to summarize—"which together outweigh the combined burden in competing jurisdictions."

That's what we need to look at. What are we doing? Are we making Ontario a competitive place to do business? Does it pay us to do business in this province, if we look around us? It's tough. We're in an international scene, yet we now find that it's really more and more tough; it's another notch in the gun that's pointing to the head of the small business person.

The report goes on: "When income and capital taxes and commodity taxes are added, total tax burden in Ontario is considerably worse than in many nearby competing jurisdictions."



There's one paragraph which really caught my eye which I'd like to read to the House, on page 3:

"The FTC's recommendation of a new method of calculating remuneration for EHT purposes of owner-managers of private corporations and self-employed individuals is highly theoretical and would appear (without knowing its precise impact on the affected people) to be even worse than the existing approach."

I haven't heard any comments, from the members on the government side or from the Finance department in their press releases that they've put out with respect to this legislation, dealing with the impact on the very people they're trying to affect, the impact on small business.

Hopefully, when you put a tax forward—we have learned the lesson with you-brew.

**Mr Klopp:** You-brew tax that has been cut in half.

**Mr Tilson:** The member says you-brew, the tax that has been now cut in half by the Treasurer which—he's cutting his losses, because he knows there are a number of businesses that have gone out of business as a result of that tax which is being collected.

My assumption is that he didn't look at all that. He didn't look at the effect on a struggling new business that was coming forward: the you-brew industry. He didn't look at all that, he just plowed ahead and he said: "We've got to get some money from somewhere. Let's tax these people."

The same goes with respect to this. It's another way of getting money, but what is the impact? What is the real impact with respect to the small business person who's trying to stay alive?

**Mr Klopp:** It's part of the GST that is cut in—GST does harm to small business.

**Mr Tilson:** I'm not denying that the various tax structures—the member talks about GST and good for him. That's a good answer from the government; they use it all the time. You've got to look at what you've been doing in your province, in this province of Ontario, and the unbelievable amount of taxes that you've been putting on this province, combined with the Liberals; it's an astronomical amount in the last decade. The leader talks about the lost decade of NDP and Liberal policies and this is another example of the sinking of the small business person.

They go on in this report to say:

"If the government intends to pursue levies on individuals to help pay for health care, then in lieu of the payroll tax it should do so for all health care users, not just self-employed people and owner-managers of corporations."

Hopefully, in government, we will be fair; we will be fair to the people of Ontario. I can remember governments in the past, NDP governments in the past—the former federal leader, David Lewis, talking about the corporate welfare bums and all the play he got on that and talking about people who are not paying their share. That was his alleged submission on a group in society that was not paying its share of the expenses of operating this province.

The difficulty with this legislation is we are now creating a new group of people who are not going to be paying for their share of a very expensive and a very nebulous type of operation: our health care system.

I hope the government members read this report. On page 13 there's a whole section on payroll taxes which goes on to about page 17. They have examined this whole topic and have studied, made surveys of their own, because the government certainly hasn't looked at it. The government certainly hasn't studied the effect of this tax on the small business person in this province.

The report says on page 13:

"Payroll taxes encompass all compulsory taxes imposed by payroll by different levels of government and their agencies. Voluntary benefits to employee groups such as life insurance and extended health insurance are properly excluded."

I don't think they've analysed this. You look at some taxes that are excluded, some taxes that are included. Surely we've got a system in this place as to how we're going to tax the people of Ontario and there doesn't seem to be any system. It's a willy-nilly tax grab. The example with respect to cigarettes shows how something got out of control, and there's the whole issue of the underground economy.

Who's going to be paying for the health services in the underground economy, that whole group of people? From the government's perspective, they don't even exist. They're not paying any taxes. They're not doing anything. They're operating out there. Who is going to be paying for their health services?

The people in this bill is one group of people who are going to be paying for those taxes and I don't imagine—the Treasurer has at different times stood up and talked about what his estimates are of the underground economy, and I don't think the estimates he's given with respect to the cost of health services have truly been calculated with respect to the effect of the underground economy on our health services.

The report goes on to say: "There is some evidence that group benefits have been downgraded or dismantled owing to the imposition of a provincial sales tax in the 1993 budget. Where this hasn't happened, the provincial sales tax impacts similarly to payroll tax, being another fixed charge related to profitability."

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I know this goes on to another bill, Madam Speaker, Bill 138 I think it is, but they're all related.

The provincial sales tax on insurance is roughly equivalent to a payroll tax of 1%.

That's where these figures came as to the overall effect on a small business person that cumulatively, payroll taxes add, on average, 11% to 12% to the cost of each employer's payroll. That's a heck of a bite for small business people who are trying to stay alive, trying to pay their mortgage payments, trying to send their young people to university, trying to do all kinds of things with a recession and all the difficulties that we're all involved in. Yet the answer of this government is to tax the small business person. That's their answer.

I indicated that, cumulatively, the payroll taxes add, on average, 11% to 12% to the cost of each Ontario employer's payroll. Mandatory vacation and statutory holiday pay push the government-mandated costs to a very significant 18% to 19% of payroll, and the provincial sales tax on group insurance plans pushed the cost to nearly 20%.

Now, I know, Madam Speaker, that I'm not talking directly about the employer health tax, but you have to look at all these other taxes. It's part of the puzzle that's been created by this government, the puzzle that's having such a dastardly effect on the workings of this government.

I'd like to read all of the report verbatim, but that's probably not allowed so I'm not going to. I'm going to recommend to you that you do read this if you haven't.

They continue at page 14:

"It is a bald fact that payroll taxes are not neutral in their impact on firms in various circumstances. These taxes bear more heavily on businesses which have a larger employment component in their activities, that is, greater labour intensity. Worse, payroll taxes bear no relationship to a firm's profitability."

If I try to leave any message as a result of the one half-hour that I'm allowed to speak on this, it's that point, and I will repeat it again: Payroll taxes bear no relationship to a firm's profitability. You could be on the verge of bankruptcy and you have to pay this stuff. You're trying to stay alive. Is that fair? We're trying to encourage businesses who employ people to stay alive, and yet we're taxing them the same as if they're making a large profit, the same as another company that's making a large profit.

This is what the report goes on to say: "Two corporations with identical salary payments pay exactly the same payroll levies, although one may have lost money while the other made profits."

They go on to a table which talks about salaries and wages to total expenses, and I think if you studied this, Madam Speaker and members of the House, you wouldn't want to put this bill forward. You wouldn't want to pass this bill. It's unfair.

The data put forward in this study by this group of business people prove that payroll taxes are highly regressive. The ratio of payroll taxes to taxable income decreases as the size of firm increases. "In the services sector the small firm ratio of 0.61% shrinks to 0.25% for large firms." It's not a fair bill. It's not fair to the people of this province. It's not fair to the small business person.

Think back to David Lewis making his talk about the corporate welfare bum. His theory was that there's a certain group of people who aren't paying taxes and they are living off the rest of us. I'm not suggesting that there are certain people that are living off the rest of us; what I am saying is that this tax is unfair and that certain people are taxed more than others. Some people aren't even paying anything, some people who can well afford it. Is that how we should be paying for the health services in this province? Is that the answer? I think not.

"The manufacturing sector presents similar results, with

mid-size firms even worse off. These data show that small and medium-size businesses, because they are more labour-intensive and generally less profitable, are heavily penalized by payroll taxes. Without question, payroll taxes are a deterrent both to new job creation and to firms maintaining jobs through recessionary periods."

This report was made after the bill was introduced, which I think was in December 1993. I could stand to be corrected, but it was made after. The government had an opportunity and they've taken all this time to proceed with it. It's ironic that this bill is being debated literally a couple of weeks before the new budget is coming in. I think May 5 is the date of the new budget, and it's ironic that you haven't got a very good mood in this province when you start hearing about this legislation.

**The Acting Speaker:** The member's time has expired.

**Mr Tilson:** Madam Speaker, my time has expired, and I thank you very much.

**The Acting Speaker:** Thank you for your contribution. Now we have time for questions or comments to the member for Dufferin-Peel.

**Mr O'Connor:** I appreciate having an opportunity to speak to my colleague from Dufferin-Peel's comments. He spoke to the bill quite reasonably, though I think maybe didn't talk about some of the wonderful things about our health care program.

I know that it's easy to complain about it, that it isn't the best and you're not spending enough money, but this week is Organ Donor Awareness Week, and later on today I'm actually going to have an opportunity of touring the Eye Bank of Canada.

What the member has said about how bad our system is, he hasn't recognized some of the good in our system. For example, in some of the notes that I've received to prepare me to head over there for this visit today, I found out that in Ontario, over the period of a month, over 200 donations arrive at the Eye Bank, and the cost of the transplant is around \$300. It's covered by OHIP.

I think that's a good investment, an investment in people. People are going to be able to see again as a result of this. If we were in the United States, the same thing would cost about \$1,300, so while the member complains about what it costs for our health care system, he doesn't recognize that we do have an awful lot of wonderful things that are part of that entire system.

I guess if you just look at the overall picture, you say it's all bad without recognizing a lot of successes, a lot of positive things, and a lot of cost advantages as to why people invest in Ontario.

**Mr James J. Bradley (St Catharines):** I enjoyed very much the remarks of the previous speaker. I know that he didn't have time to mention the people at Linhaven Nursing Home, and the Speaker herself visited Dorchester Manor last weekend.

How I relate this to the bill and the member's remarks is that if people were assured that the funding from this tax were going to provide the kinds of services that you and I would like to see, everyone in this House would like to see, in nursing homes such as Linhaven in St Catharines, then they would be more inclined to be



agreeable to legislation of this kind. But of course we can't be assured of that.

If it were the case, however, I think we know that homes such as Linhaven where there are Alzheimer's patients and other patients who have some rather severe problems which require some constant and very extensive care, those people need these funds, and we're all getting letters from them. We've been asked to visit the various nursing homes that have encountered this particular problem, and I would like to see the appropriate funding going to places such as Linhaven so that the very dedicated staff that is there could, once again, provide the kind of service that they did in the past to people who require that service. It's extremely difficult for family members particularly to see their loved ones go through some rather difficult stages in life and not have the kind of service they used to have in years gone by.

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The appropriate funding is needed. This bill is probably not the particular vehicle to use to derive that funding. They would hope that the government would establish priorities, take it from less essential areas of endeavour and place that funding in nursing homes, such as Linhaven, to serve the very vulnerable people who are residents there, in many cases.

**Mr David Johnson (Don Mills):** I am delighted to rise to compliment the member for Dufferin-Peel. The member for Dufferin-Peel has a great deal of common sense when he talks about taxes, when he talks about jobs, employment, when he talks about our economy. He knows what it takes to get this economy going, the types of measures that it takes to get the economy going.

What is required is more taxpayers, not more taxes. The people of the province of Ontario have suffered through \$7.6 billion in new or increased taxes since 1985 through Liberal governments and through NDP government. The people of the province of Ontario have seen the average per-capita tax burden increased by 73% during that period of time, from 1985, whereas their per capita personal income has only risen by 53%. If you wonder why you feel poorer now than you did a few years ago, there are the statistics that prove the point. Taxes have risen too quickly.

*Interjection.*

**Mr David Johnson:** Yes. The member has pointed out that health is costly: \$17 billion, I believe, in terms of cost for health on an annual basis. The employer health tax brings in about \$3 billion. But this is not the point in time to increase taxes on the business community and on the self-employed business people. It will not create jobs; it will be a disincentive. We have seen that in the you-brew industry. It's interesting that the government, on the very same day when it recognizes the impact on small business people in the you-brew industry, as the member for Dufferin-Peel has pointed out, imposes taxes on self-employed people. The impact will be the same: Jobs will be lost. It will not help our economy in the province of Ontario.

**Mr Robert Frankford (Scarborough East):** I always enjoy listening to the well-thought-out contributions of

the member for Dufferin-Peel. I would however, on this question of the economy and incentives and disincentives to business, just remind him of the significant benefit we have in this province of a single-payer, tax-funded system. We pay 9.5% of GDP for health. The US pays 14% and provides inadequate coverage. A figure that is commonly quoted means that \$800 of an average car is for health costs. It's a significant benefit we have and I wish that the parties across the floor—they may be doing their job to criticize in opposition, but we really have something to be proud of.

This is something which I believe has to come from a tax-based system. I listened with interest to his critique of the type of tax and I think he makes some very reasonable points, but I think the logic would be to move to an income-tax-based system or a progressive-tax-based system. I'd just like to point out to him that Americans are coming here to learn about what we have to offer. There are very respected advocates of a single-payer system.

In the middle of May we are going to have a meeting of the Physicians for a National Health Program, including Dr Himmelstein and Dr Woolhandler, who are, I think, the most respected advocates of a Canadian plan, very well-meaning people, and I would invite the member to come and hear them, along with Dr Julian Tudor Hart, whom I regard as the most influential proponent of a real, effective tax-based system which can easily be less of an expense on the public purse than the 9.5% that we are dealing with in this province right now.

**The Acting Speaker:** Now the member for Dufferin-Peel has two minutes to respond.

**Mr Tilson:** I thank the members for responding. The member for Scarborough East made some interesting comments which I'd like to specifically speak of. One is the issue of incentive, I suppose, and he is a doctor.

I look at some of the background material our party had available when the Liberal bill came into existence, and much of those same facts apply still today.

But look at the issue of fairness, and we'll take a doctor, who, with a self-employed income of \$400,000, would pay \$3,500 in health tax. A corporate executive with \$400,000 in income would pay no health tax. An investor living off \$400,000—which doesn't take much, when senior citizens particularly sell the home they've lived in since the 1920s—of invested income would pay no health tax. An owner of an incorporated company who paid himself a salary in dividends would pay perhaps as much as half the \$3,500, because it's deductible to his corporation.

My point, to the member for Scarborough East, is that this bill is not fair. It gets back to that old principle that we're not all equal. Some people are more equal than others, to use that Orwellian expression, and this bill is an example of that.

There's the other issue which has been mentioned in this House, and that's the incentive. All these companies that have health programs, fitness programs, and spend a lot of money on that, why would they do that now when they're just being added to another tax? Why would they

do that? We're trying to keep our people fit so we don't have this terrible burden of health, and this is how we treat them.

**The Acting Speaker:** Thank you for your contribution to the debate. Further debate?

**Mr Frankford:** I'd just like to have the opportunity to elaborate a little further. I'm slightly confused by that last contribution of the member for Dufferin-Peel, who I thought said that doctors would be taxed and executives wouldn't. I think he has it upside down, because when I was a self-employed practitioner I was exempt from the tax because of being self-employed, because they said this is in fact a payroll tax.

This is an example of what we're trying to address here. As a strong advocate of a tax-based health care system, I feel that that tax must be fair. As I say, we probably should be moving to a more progressive approach.

But let's look at the alternatives. The non-tax-based system is an insurance system in which you are paying premiums and the premiums are fixed per head, so it's in a way a sort of poll tax, except then you get into the terrible situations of ratings, of variations by age, sex and pre-existing conditions, which is what we have in the United States, with dreadful consequences and serious effects on business. This is restricting labour mobility there: People are unwilling to change from one place to another because they've got, for the time being, a particular plan.

**Mr Turnbull:** There are lots better models than that.

**Mr Frankford:** But ours is the best model, I would say, except for the possibilities of a more—

**Mr Turnbull:** Try Switzerland. The Swiss have a better model than we have.

**Mr Frankford:** No, we have the best. In many ways we have the best, I would respond to the member.

**Mr Turnbull:** That's not what the Economist said two years ago.

**Mr Frankford:** The member refers to the Economist, a journal which has absolutely no credibility as far as health insurance goes. And I don't imagine that the member has listened to the alternatives of a fully socialized system where one can get primary care reform, none of which is at all possible in an insurance-based model in terms of this competitive advantage. We are seeing the pathetic efforts of Mr Clinton, who has introduced a sort of insurance-based scheme with the payroll tax which the opposition is attacking, and it's not going to work. I believe a tax-based system is inevitable, and I think it gives the security of funding that is needed.

1700

As I say, I think the critiques of a payroll tax are well taken. I would point out, for those who think that Ontario is the worst place, that our payroll tax rate is less than Quebec, but we don't hear them going on about how that is supposedly to our competitive advantage. We just see this shotgun approach to criticism, that somehow we are the worst.

I accept a lot of suggestions for reform. I think we

should have a much better system, with a system of primary care, which is quite impossible under the insurance model which is favoured by the people who don't understand what they're talking about, like the writers for the Economist. But there are people of goodwill and sound analysis, such as Himmelstein and Woolhandler, whose contributions you can see very frequently in the New York Times and whose suggestions are standing up. I believe that what they are offering for a universal tax-based plan is the only alternative which will come through.

I will not take any more time, but I think this is a useful debate for putting forward our ideas, for the opposition to try to critique a universal tax-based plan. The more extreme member for York Mills, who obviously will only favour an insurance model, is not here at the moment, and I imagine ideologues like him are never going to be convinced.

But I clearly believe that with a more socialized, tax-based system we will be able to reduce our level of expenditure by one percentage point of GDP, which, I would remind you, Madam Speaker, and all members, is something we very much need as a solution to our deficit problems.

**The Acting Speaker:** Are there questions or comments to the member?

**Mr Gerry Phillips (Scarborough-Agincourt):** A comment, yes. I appreciate the member's comments because we are dealing with how we fund—frankly, not how we fund health care but how we fund the province's spending, because while it's called the employer health tax, the fact is it goes into the general revenue.

The emerging issue in health I think is going to be, how are we funding our health system? I'd always had the feeling that it was publicly funded to a huge extent and that that was something that sets us apart as unique from other jurisdictions, certainly unique from the US.

I now find that the amount of money funded publicly on health care is declining as a percentage of the spending and the amount of money that's funded privately on health care is increasing fairly substantially. We are indeed, it would appear, trending more and more towards a US system, and I think it's happening heavily because governments at all levels are under an enormous strain on spending. This government's no different from any other.

We see that now, I gather, roughly 30% of hospital funding is funded privately, and that's growing. We saw that our doctors are looking for an increasing part of their revenue from private funding, for charging companies for the annual medicals and that sort of thing.

The member's comments I think are useful. I'm looking forward, as we go through the health debate, to, where is this government heading on public versus private funding? Certainly right now the legacy is a substantial increase in private funding of health care in the province.

**Mr Bradley:** I want to discuss as well, because the member for Scarborough East did, the funding of health care and recall, as he would like me to recall, I'm sure, the regressive tax which was in place called the OHIP



premium. It was quite regressive because a lot of people who couldn't afford it were forced to pay it; there were certain people in more privileged positions.

First of all, there were those who through their collective agreement that the union had signed on their behalf, perhaps had all of the premium paid. When I was a teacher, for instance, I think two thirds, and maybe by the time I left teaching all of it, was paid, so I was not affected by the premium directly. There were other people who simply had a lot of money and were able to afford a premium, so it wasn't particularly onerous on them.

Where it was onerous was on a number of people who didn't have a collective agreement that called for the paying of the premium by the employer, or people perhaps who found themselves in very difficult circumstances and were still forced to pay all or a portion of the OHIP premium.

I found that to be very regressive. I knew a number of people in that category. I knew a lot of people who were not aware of the OHIP assistance plan that was available or didn't want to be bothered because their circumstances would get better sometimes and worse sometimes economically, and it was difficult for them to deal with the red tape involved in that or the bureaucracy involved in that.

I think a system—I'm not suggesting this bill—which spreads that cost in a different way is superior to the OHIP premium. I recall vividly when Darcy McKeough of a Progressive Conservative government wanted to raise it 37.5% at one time. I'll be interested in the member's comments on that.

**The Acting Speaker:** Are there further questions or comments? If not, the member for Scarborough East has two minutes to respond.

**Mr Frankford:** I very much welcome the remarks of the member for St Catharines because this actually leads into another question where I believe there is an inequity or certainly an inefficiency. I compliment the Liberals for having changed to a tax-based system and I think maybe I even had a little bit of influence in that, because I recall, as a member of the Medical Reform Group of Ontario, visiting Mrs Caplan, the minister of the day, and we made that suggestion, which subsequently they put into effect.

One flaw, however: There are people who are not eligible as full citizens—I'm thinking of temporary residents—who would like to participate. At the time they were able to pay a premium and participate on the same basis as everyone else. We have made the decision to exclude them, which I believe is perfectly legitimate under the Canada Health Act, but we're certainly getting complaints about that. I have a letter in front of me from the York international students who I know have had a lot of questions about this. I have actually had a discussion today with them about an alternative.

I would like to see—I'm not blaming the Liberals particularly; I think it's something which only time has shown was an oversight—the option of still having the possibility of paying a premium. As I recall, it was

something like \$600 for an individual, which in my discussions with student organizations and faculty, they think would be a reasonable way of doing it. It would, of course, have the benefit of not excluding people with pre-existing conditions, which is the real downside of a private system approach.

**The Acting Speaker:** The member's time has expired. Further debate?

**Mr Phillips:** I'm pleased to continue the debate on this bill which is called Bill 110. I guess for all of us, we all appreciate what the bill is, but it's one of the tax bills that we're dealing with. For those people who may not be familiar with the process that goes on here, taxes are introduced in budgets, they are implemented, and then the law catches up with them eventually and we pass bills that ensure that the actions of the government are legitimized by a bill.

I think everyone should recognize that over the next little while here in the Legislature we'll be dealing with bills that fully implement tax measures that were introduced more than two years ago and we are now just catching up with that process, although the bill we're dealing with I think deals with tax measures in last year's budget. In the next few days we'll be dealing with more bills that implement the Rae government's taxes going back to 1992.

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I think the first thing we should reflect on a little bit is that something is happening out in Ontario around taxes. What we've seen from the Rae government is that in its first budget, the 1991 budget, if you flip to the tax changes, the tax increases on page 28, you see that taxes went up \$1 billion. What in the world does \$1 billion mean? What it means is that the tax level in the province in the first Rae budget went up about 3%; Bob Rae's first budget took taxes up 3%.

In the second budget, which was obviously the 1992 budget, we see again tax measures totalling another \$1-billion tax increase. We had another 3% increase in the level of taxation in the province in the 1992 budget.

Then in the 1993 budget which was presented, obviously, essentially a year ago, we saw that the tax level went up not \$1 billion, as we saw in the first two years, it actually went up \$2 billion. We've now seen three budgets from the Rae government. The fourth, as we know, will be presented here actually two weeks tomorrow at around 4 o'clock.

After three budgets, taxes in the first year went up roughly 3%, in the second year 3% and in the third year an additional 6%. Everybody in the province has faced an increased level in taxation of approximately 12%. By the way, I would add that over that period of time, as I think we all know, income levels have essentially stayed flat. The gross domestic product of the province, the output of the economy—actually, I found this extremely interesting.

This is from the Ministry of Finance, dated March 1994, and what it shows here is that this is the real gross domestic product. This is the measurement of the output of the economy in Ontario. It compares Ontario and the rest of Canada. They've pulled Ontario out and looked at

the rest of Canada. You can see what's happened to Ontario: That's the solid line. In 1990 it was obviously running at 100% and then it dipped below 100%, way down in 1991 and has not even yet recovered back up to where it was in 1990. The rest of Canada, when you take Ontario out, has never gotten below the level it was in 1990 and is growing very nicely.

The reason for pointing that out is that something has happened in Ontario, something quite profound. We also saw it, I might say, on the employment front where Ontario has had virtually all the job losses. In the first three months of 1994 in the rest of Canada, outside of Ontario, we've seen about 150,000 more jobs created in the economy. Ontario actually, if you can believe it, has lost 4,000 jobs.

What we've seen are three budgets from Premier Rae. The first budget had a 3% increase in the level of taxation, the second year another 3% and the third year a 6% increase in the level of taxation. At the same time, we've seen the Ontario economy not only stagnate, it actually is lower than it was in 1990. Ontario's economy still is below where it was in 1990. The rest of Canada never declined, never fell below that level, and actually has seen some very good growth, on the job creation front far outstripping Ontario.

One of the things I think we have to analyse and determine the impact of on the economy has been three consecutive years of significant tax increases. I know when you're in opposition it sometimes can be seen as easy to criticize, and obviously you're against tax increases because you don't have to have the responsibility of raising the revenue to pay for the programs. But I hope all of us can appreciate that these three years of tax increases have coincided with virtually no growth in the economy.

I would add also, if you can believe this, and it's true and you can check it out, that we've seen, as I said before, tax levels increasing. The expectation was that it would result in tax revenue growth: \$1 billion, \$1 billion, \$2 billion. What has actually happened? What has actually happened to the tax revenue over that period of time? Tax revenue has actually dropped.

If you go back to the revenue that the province received in taxation before these tax increases and you look at 1990-91, tax revenue in the province was \$33.6 billion. We now have the latest estimate from the government on tax revenue for 1993-94, the year that just ended three weeks ago. What was tax revenue? It was \$31.2 billion. I'll just repeat those numbers because it surely is for all of us a signal: 1990-91, tax revenue in the province, \$33.6 billion. Three years of huge tax increases designed to generate more tax revenue, theoretically almost \$4 billion more tax revenue, and what has actually happened is the tax revenue has declined by almost \$2.5 billion.

One cannot blame all of that on tax increases. We understand the slow economy, low inflation. And the government did do some things. They moved from what used to be a property tax expenditure program, where seniors got a \$500-a-year credit against their property tax. That used to be an expenditure program. It moved to

what's called a tax credit program, where it comes off the tax payable. That was, I think, worth \$500 million. But none the less, it does not change the fundamental: that we have increased tax levels dramatically in the province and tax revenues have actually declined, and I think they've declined dramatically.

You often hear people talk about, "Well, you're going to hit a tax wall." You finally reach the point where people just simply find a way to avoid paying it, for two reasons. One is that they are not working or their business isn't generating profit, or they find a way to avoid it or evade it. Avoid is quite legal, but people are spending, there's no doubt, a lot of time finding ways to avoid paying taxes, and there's no doubt people are evading taxes.

I go through all of this because it's quite fundamental to what we're trying to do around here. Have we collectively reached agreement that the province is taxed out? How could it be that you could raise tax levels to the tune of, as I say, almost \$4 billion and have tax revenue drop \$2.5 billion? What is happening?

The members will recall that one of our legislative committees looked at the underground economy. I personally, after having sat on that committee, am of the opinion and personally satisfied that the underground economy is large and growing.

It was just last week, I think, that Statistics Canada published a report that said it's not that big, that it's perhaps 3% of the economy. I believe it is closer to 8% or 9% or 10% of the economy, and in some sectors of our economy, like home renovations, it is huge.

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That is, in my opinion, one of the consequences of the tax increases we've seen, although I must say that in our study the most common tax that was talked about was the GST. There were many that felt that was the catalyst; that there always was an underground economy, it seemed to be growing fairly steadily, the GST came in and then it seemed to grow quite dramatically.

I think I've said before in the Legislature that I've now had an opportunity to be on two talk shows where people phone in and talk about the underground economy. I was shocked, but perhaps I shouldn't have been surprised. I think every call that came in was from someone who said: "I am participating in the underground economy, and I'm proud of it. I'm going to keep doing it. I'm teaching you people a lesson, you politicians that have done this to us."

I raise all of that because I do think we are dealing with a bill that is simply one of a series of bills that are designed to implement a policy where we have for three straight years seen dramatic increases in the tax level here in the province of Ontario. As the tax levels have increased, tax revenue has actually decreased.

Many of the members may be aware that our caucus, the Liberal caucus, spent January, February and March travelling around the province getting ideas about how jobs can be created in the province. I will say to the Legislature that the conclusion of that report was that the employment situation in this province is a state of



emergency. I will make, I guess, a pitch to the Legislature to at least consider that it is a state of emergency. Our caucus has determined that it is.

I think one of the problems we're going to run into on seeing jobs created in the province is that there will be no one event that will force us into dramatic action around jobs. There won't be any single event. In my opinion, there won't be 50,000 people that march on the Legislature; maybe there should be. Maybe there should be 50,000 unemployed young people or unemployed people who march on the Legislature. But I don't think that's going to happen. There will not be any one single event.

Governments that are in power have a natural vested interest in saying, "Well, things are going to get better, so what are you worried about?" In fact, regarding the April unemployment numbers that came out, I heard the Premier saying: "Well, we're right on track. Things are just fine. We're heading in the right direction."

I say to the members that if you look at the numbers, I am shocked at the numbers, all the numbers. I will say to the members that the released numbers indicate approximately a 20% unemployment rate among our young people. If you look behind the numbers at the number of young people that have simply dropped out of the labour market, the real number is much closer to one out of three. I think if you really look at the numbers, one out of three of our young people, 15 to 24, can't find work right now.

Not finding work is not unique to our young people. As I say, we've got literally record numbers of people out of work. The more shocking number to me was the fact that we actually have 4,000 fewer jobs in the province in the first quarter of 1994 than we did in the first quarter of 1993.

But as I say, because governments always have a vested interest in saying, "Well, we've got our plans in order. Things are getting better. Don't you worry," there is not going to be that event that will galvanize the energy that we believe, in our caucus, is needed to solve the problem.

The reason I'm going through all of that is that as we travelled the province looking for how we are going to see significant numbers of jobs created in this province, the conclusion of the task force was that we're going to have to launch an all-out war on it. In our opinion, we're going to have to find a way that Ontario becomes clearly seen as the leading economy in North America.

A key goal of that—because, in my opinion, there's no benefit in being the leading economy unless we benefit from that—is to see the level of unemployment decline dramatically and reach approximately 6% in five years. Right now, what's predicted? The level of unemployment will stay well above 9% for as long as we can see.

What's going to be required to get there? We laid out a five-point plan. One of them is that we have to let the economy breathe. Part of doing that, part of helping our job creating sectors to do that, we concluded, is that we truly do need to look at reducing the level of taxation.

I spent a lot of time on this task force looking at that recommendation, because the public is probably pretty

cynical about politicians who promise to actually reduce taxation. To be promising tax reductions when we are faced with a significant deficit and real spending challenges—people are saying: "Wait a minute. Isn't our higher priority to reduce the debt and deficit?"

But we concluded in our study that if we don't find a way to let our economy breathe, let our job creating sectors get an opportunity to compete more effectively, we aren't going to see the jobs created that we need, we're not going to see the economic growth created that we need, and we are going to continue to wallow in high unemployment and wallow in very heavy costs of dealing with the symptoms of unemployment.

If we could find a way to get the economy moving faster and to see more jobs created, I guarantee you, first we would see more revenue come in, and second we would see opportunities for people to move off social assistance and back into the workplace. We concluded, and the recommendation is, that we reduce the level of taxation by 1% a year for five years. To do that, if you take taxes down 1%, it means, theoretically, tax revenue drops by \$330 million, roughly. That's 1% of \$33 billion of tax revenue.

The cynics will say, "Where in the world are you going to find \$330 million?" Our assessment was that a signal that taxes are actually coming down, along with doing a lot of other things we talk about there, we felt could be helpful to getting the economy growing by at least 0.5% more of what they call GDP, gross domestic product. If we were to do that, our estimate is that the revenues as a result of that increased growth could be \$200 million to \$220 million.

The second thing we felt was that if we could see 30,000 more jobs a year created—and this is our goal, this is the Liberal caucus's goal and hopefully it is the legislative goal—we think many of those people would be people who, right now, require social assistance, who can't find a job and have obligations. If we could do that—30,000 more jobs a year—we felt social assistance costs could be reduced by perhaps 2%. You probably all know the numbers on social assistance and what not, but as we looked at it, we felt perhaps 2%.

If we do those two things, we can see the economy growing better, we hope by 0.5%, and 30,000 jobs created, and we believe we could offset a 1% reduction in the level of taxation a year.

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We also believe that's an important, almost an essential, signal for us to send to restore public confidence and business confidence in Ontario. We've got a large number of other recommendations in our report around how we substantially make it easier to do business in the province by making it easier to deal with our paperwork and regulatory burden; how, as the report says, in many respects we are trying to deal in a 1990s economy with 1960s-type government apparatus.

We say in our report that workers' compensation and unemployment insurance, social assistance, were all born as good ideas, all were well intentioned, but they have not kept pace with a change where we now are seeing not

3% and 4% unemployment, as we did in the 1960s and in the 1950s, but are now seeing unemployment rates that are reported at 11%, but, as the government itself said in last year's budget when it outlined what it regarded as the real unemployment rate, and I thought that was a useful chart in the budget, "There's the reported unemployment rate. The real unemployment rate is running closer to 14%." All the members would recall that.

So we need to find ways in which we, to use the jargon of the day, reinvent or redesign or re-engineer those programs. We need to also, I might say, find a way that our job creating sectors have better access to capital.

The reason I'm spending the time on this is that there was no doubt, as we did our work around the province, that we have knocked the confidence out of our job creating sector. Individuals are very confident about their own abilities, very confident about their ability to compete globally.

In fact, I would say there's been an enormous feeling in Ontario that individuals know and feel they can take on the world—our export business is booming, as we all know—but they have very little confidence in the ability of the Ontario government to set the climate they're going to feel good and comfortable about building their business in.

That's what leads us to this tax bill today. This is one of a series of bills—in the next few days we'll be dealing with several others—all designed to increase the level of taxation and all designed to finalize the government's plans.

It's ironic, almost—it is ironic, not almost—that there's a bill that deals with what's called the you-brew industry, the industry that brews beer in small premises, that in the budget the tax went way up and put, I gather, at least 400 people out of work—the member shakes his head, but I think that's the estimate we've received, 400 people out of work—and drove the revenue down; the province got dramatically less revenue.

We put entrepreneurs, many who had invested their life savings, at risk, many of whom went bankrupt, many of whom lost their jobs, many of whom lost their life savings, and before we can even pass the bill—for anyone's information, we still haven't even passed the bill that would incorporate that—the government announced an amendment to the bill to reduce the taxes.

The point is that in one year, with one tax, we essentially put hundreds of people out of work, dozens of entrepreneurs out of business, and before the bill was even debated in the House we're back down to quite a different number.

But the damage has been done, and in a broader sense I think the damage is being done on the tax front with, as I said before, tax increases of roughly \$4 billion.

We are suggesting that it is a time for reflecting on these tax increases and challenging ourselves why in the world we are continuing to increase taxes at a time when I think we've proven to ourselves that we've hit the wall, that increased taxes actually seem, based on the evidence, to be yielding less revenue.

In the specific one we're talking about here, we're not,

in my opinion, talking about how we fund health care. It's called the employer health tax. It's not about how we fund health care. In fact, the employer health tax raises I think about \$3 billion of about \$25 billion of health spending in the province. We're talking about how we raise more taxes.

Actually, it was the Liberal government that brought the employer health tax in to replace the OHIP premium. I understand that, and I am one of those who says you must learn from the past.

**Mr Derek Fletcher (Guelph):** Learn from your mistakes.

**Mr Phillips:** Learn from the past. I'm not one who defends the action of previous regimes, whatever stripe they are, if we can learn and do better from that.

**Mr Fletcher:** We learned from you.

**Mr Phillips:** The member across is heckling. The people of Ontario should appreciate that this is the government that, as it enters its fifth year of office, one out of three young people in this province are out of work. If there's anything you should be ashamed of, totally ashamed of, it's that.

**Mr Fletcher:** It's not us.

**Mr Phillips:** He says it's not true. It is true.

**Mr Fletcher:** I said it's not us.

**Mr Phillips:** He says, "It's not us." It is you, and if you don't understand that, you're making a big mistake.

I now am slightly energized by the member's comments, because your legacy will be five years of misery. The social assistance case load is still growing. You promised the unemployment rate would be dropping. It isn't dropping. You promised there would be more jobs. We are losing jobs. The rest of Canada sees 150,000 more jobs. We're losing jobs. You talk about construction jobs. There's never been as many people out of work as there are now in construction.

I remember clearly September 1991. Bob Rae came in here and said: "Jobs are my number one priority. I'm going to challenge the Legislature." He said it was his number one priority, and I actually believed him.

What's happened? Every single month he talks about jobs being his number one priority and that's where he's going to devote his energies and attention, and he's failing. We have a debate in the Legislature, and the members of the NDP, maybe because they're so embarrassed about the numbers, choose to heckle rather than attempt to find the solutions.

As I say, the Premier—I keep his speeches. He knows people care about jobs, so he says it's his number one issue. I can remember to this day September 1991, the day the Legislature came back after the summer break, and him saying, "That's going to be our number one priority." What are the results?

I would say that one of the key contributing factors in that has been, now that we have seen three straight budgets from Bob Rae, dramatic tax increases, dramatic increases in people out of work, and in my opinion, no plan to solve it, no plan for our young people to have a future and a hope, no plan for all our older workers who



are out of work, nothing but rhetoric about Bob Rae caring about jobs, and in my opinion, doing very little.  
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**The Acting Speaker:** Now we have time for questions or comments.

**Mr Turnbull:** I must admit I always enjoy listening to my colleague from Scarborough, and I think what he has had to say today is, as usual, very good, solid debate speaking to the important issues.

I am a little concerned that the government of which he was a minister—he seems to have amnesia about the damage it did to the economy. They indeed introduced the employer health tax. They seem to have forgotten about that. No doubt he will get back to me on that issue.

The fact is that the impact of the employer health tax on employment has been profound. We had it introduced by that government just at the time we were going into a recession which, in fairness to the previous government, I don't think anybody could have contemplated would have been as severe as it was. Nevertheless, they introduced this going into a recession, in full knowledge that the press and business groups had suggested that it would have an impact on jobs. But they plowed ahead. It was a wonderful election issue because they were able to go to the electorate and say, "Look, we've made your health costs zero."

It didn't work for them, but in the meantime the present government has taken over legislation which it believes it's enhancing. They believe they're making it fairer. They believe they're changing the legislation to make it a more reasonable bill. I think they're wrong, but nevertheless, the burden for this bill lies clearly with the Liberals. While it was an excellent debate by my colleague—I always enjoy what he brings to a debate—I really believe that he should reflect on the damage they did to the economy.

**Mr Frankford:** I note with interest the member for Scarborough-Agincourt saying that this is not really an employer health tax, that it is a payroll tax, that it's called an employer health tax but it doesn't pay for health costs and that no government has increased it in proportion to the amount of the health costs.

It's a payroll tax. Interestingly, and people keep on neglecting to say this, if there is something cosmetic about it, it is that it is lower than in other jurisdictions. It is lower than in Quebec. Why don't we advertise it as such? I believe it is substantially lower than what Mr Clinton has proposed for the US, although it's very hard to gather what they're saying there and clearly his proposal is going to fall apart.

They will have to move to take things seriously, to become a single-payer plan almost certainly, although they may have to go through a considerable amount of grief as they try to accommodate all the so-called experts, the people who write for the op-ed page of the New York Times, the insurance companies and all the other people who feel that they somehow create health care, which is actually made by health providers, and in many cases by consumers themselves if they are properly trained to do it.

All of which explains why our system is so much cheaper and efficient and, as Himmelstein and Woolhandler have pointed out several times, our administrative costs are astoundingly smaller. They could pay for their 30 million uninsured by the administrative costs.

We really have to look positively at what we have and look at our competitive advantages.

**Mr Robert W. Runciman (Leeds-Grenville):** I too want to join my colleague in indicating that I have a great deal of respect for the contributions the member for Scarborough-Agincourt makes on a regular basis in respect to financial issues facing the Ontario government, but I think he has a problem, a cross to bear, if you will, in respect to the question of credibility related to the five years of the Peterson Liberal government in the province of Ontario: 33 tax increases.

I grant you, the member was a member of the cabinet, but a relatively new member, a junior member of cabinet, and I suppose somewhat reluctant to perhaps express his views. I'm not sure; he may want to comment on that. But we know that things happened and we know that a payroll tax certainly came into place in terms of the health care costs to the province.

We know there was significant contempt shown for the people of Ontario in the 1990 election by calling an early election and then a fudging of the figures, when we were told we were going to have a surplus. Indeed, when the NDP assumed power, they found out that it was a significant deficit situation, which I'm sure the Liberal government of the day was well aware of, and that certainly was a significant factor in them calling an early election.

They also raised WCB benefit levels, contributing to the ongoing growth of the unfunded liability. The biggest problem was the spending binge that the Liberals went on in their five years in office, increasing the spending in the province of Ontario I think from somewhere around \$40 billion or \$41 billion total expenditures when the Conservatives left office to in excess of \$50 billion when the Liberals left office.

I think the biggest problem that we face now is the spending commitments made by the Liberal government which this government, the NDP government, has been tied into and can't come to grips with when it faces significant revenue shortfalls.

**The Acting Speaker:** We have time for one more question or comment to the member. If not, the member for Scarborough-Agincourt has two minutes to reply.

**Mr Phillips:** I appreciate the member for Leeds-Grenville's comments. I want to get on the record some facts, and then I'd welcome any viewers to call my office and I'll send a copy of this. I'm always reluctant to get into who did what to who, but I would say this about the Conservatives, and he was a member of the cabinet then. Here's what the Provincial Auditor had to say about the Conservatives. "Ontario's had only one surplus in the last 20 years. That was the year ending March 31, 1990." What the auditor is saying, for all of the viewers, is the Conservatives for 15 straight years never, ever ran a surplus—the famous Darcy McKeough and all the great

financial managers, and the member was a member of the cabinet. That's not me speaking. That's the Provincial Auditor.

I know my Reform friends, when I tell them, say: "Say it ain't so. You mean Mike Harris and the Conservatives ran 15 straight years of deficits in good times and bad times?" As I say, my friends in the Reform say: "Mike Harris was part of a party that never balanced the budget for 15 straight years? It can't be true."

The second thing the member talks about is spending. Spending increases under the Conservatives for the last five years of their regime went up 11.3%, and the average deficit was \$2.7 billion, well above the five years of the Liberals.

I never say the Liberals ran it perfectly, but I'd never put my chin out, as the member for Leeds-Grenville did, when the facts indicate, firstly, that the last five years they were around they ran a deficit well above anything the Liberals did. The Liberals balanced the budget.

The final thing I would say, anybody who wants the explanation on the \$3-billion deficit, the auditor has it here, phone my office tomorrow. I'd love to hear from you.

**The Acting Speaker:** Further debate? The member for York Mills has the floor.

**Mr Turnbull:** I cannot imagine a better segue to what I'm about to say. Let us just deal with the facts, and I agree with my colleague the member for Scarborough-Agincourt that there was only one balanced budget in the last 20 years. It's now I guess some 23 years. Let's be very clear. Every single politician who has been associated with that should hang their heads in shame, irrespective of which party they're in. But let me dissect—

*Interjections.*

**The Acting Speaker:** Order.

**Mr Turnbull:** Can you get this rabble under control, Madam Speaker?

**The Acting Speaker:** Order. Members come to order.

**Mr Turnbull:** I do hope that my colleague the member for Scarborough-Agincourt will wait just to hear what I have to say because I don't want to miss his response to this.

**Mr Phillips:** I'll respond later.

1750

**Mr Turnbull:** The facts are that the only time the Liberals balanced their budget was 1989. Let's examine that. Their budget for that year called for a deficit, but instead they showed a surplus. They had indicated in their budget documents that they were going to have a \$550-million deficit. There was an unusual transfer of funds from the federal government because the economy was booming so much that they got an unanticipated \$888 million from the federal government.

You don't have to be quick with math on this. Simply take away from that \$888-million unusual transfer, unanticipated transfer, the \$550-million deficit that they had projected and you would come up with a number that they should have had: a surplus of \$338 million, which they could have paid against the debt.

But guess what? They only had a \$90-million surplus. So, in other words, the Liberal government that is so proud of having balanced the budget once in its five years did it by fluke. Had they not been bailed out by this unanticipated transfer, they would have in fact been further in the hole than their budgeted \$550-million deficit.

Let's move to the next year, 1990. My friends across the floor on the NDP benches will remember 1990; I certainly do. As we went on to the hustings, we were told that we were going to have another balanced budget, and they were going to be so fiscally responsible. Much to the chagrin of the NDP—and frankly, we told them during the election and we told the Liberals that this was the case, that they weren't going to have a balanced budget; we said that their numbers were cooked—what happened was that when the government of the day got in, it found that in fact there was a deficit of some \$2.5 billion; not a surplus, but a deficit.

This is the kind of fiscal game-playing that we've got to stop. Every single person who is involved with politics has got to wake up to the fact that as we have been borrowing in the past \$1 billion a month, and with a population of 10 million that means we have been borrowing \$100 for every man, woman and child per month under this present government, we are off the tracks. I've spoken about that many times before.

All I wanted to do was point out the inaccuracies of the Liberals' memory as to what happened during their term in office. David Peterson and Lyn McLeod and Bob Nixon, the Treasurer at the time, brought in the employer health tax. The employer health tax was to replace the OHIP fees. Approximately 70% of all employers at the time were paying the OHIP premiums for the employees, but there were a number of small businesses that weren't paying that. We also had the situation that municipalities and school boards and hospitals sometimes were only paying part of the fee. So there was an increase in the cost to those municipal transfer agencies—which cost the taxpayer, because ultimately the taxpayer pays for all of these things—of \$75 million in extra costs in the first year. That was a cost which was transferred by the Liberal government to municipalities, to hospitals and to school boards.

We know that the kinds of tax grabs the Liberals got involved in during their term in office led to the demise of their government and there was a great reaction from it. Let me read just briefly from a clipping from the time before, 1989, when the Liberals were just about to bring in the employer health tax. It was written by Richard Mackie of the Globe and Mail. It states:

"The Ontario Liberal government intends to ignore intense opposition and proceed with a controversial tax plan that would hit the province's businesses with what critics charge is a system of double taxation. The proposed new tax, the employer health levy, would be a payroll tax to replace premiums for the Ontario health insurance plan, 70% of which are already paid by employers.

"The officials in the treasury ministry say that the Liberal government has no plans to change the tax



despite lobbying efforts directed at Treasurer Robert Nixon and Industry, Trade and Technology minister Monte Kwinter."

At the time, they said it wasn't going to impact businesses. Here we are three years later—and by no means could I suggest that that measure alone is responsible for what happened in this province. We are indeed, as the government of the day likes to proclaim so often, in a worldwide recession. It's very interesting. Until they started getting into trouble politically—

**The Acting Speaker:** I would ask members to keep their conversation level down. The member may continue.

**Mr Turnbull:** The government has never accepted any responsibility for this. It's always outside sources. But indeed they took over some of the seeds of destruction of the Ontario economy. At a time when the world was going into a recession, they took over such tax grabs as the employer health tax, a tax which has disproportionately hit smaller businesses. Once again, this government is now going back to the trough and saying: "Gee, maybe there's a little more money in the trough. Let's suck it up."

We have had a task force going around the province—by "we," that is the Ontario provincial party and the caucus—examining problems that small businesses are having. It's titled the Mike Harris Task Force on Cutting Red Tape and Growing Small Business, and we are talking about all of the burdens on business and why they're not creating jobs. In addition to the actual task force, we've sent a survey out to 19,500 businesses, and it generated an unusually large response. For anybody who is familiar with the response rate from postal surveys like this, we had a 9.7% return, which is a very good response rate.

Over half the respondents represented firms which employed 10 or fewer people, 36.7% employed less than five workers, and 22.5% had between five and 10

workers. Overwhelmingly, the bulk of the people who were responding represented the small and medium-sized sector.

It's very interesting to note that when asked which of the major provincial taxes had the greatest negative impact on their ability or willingness to create jobs, 56.9% of the responses tagged payroll taxes as the primary culprit, well above the next, which was the 17.1% who pointed to the corporate income tax or the 13.4% who identified PST—the number one block to creating jobs or maintaining jobs in small businesses.

When business people were asked to rate the problems they had encountered in starting and running their businesses, payroll taxes and dealing with government paperwork emerged as the two items most frequently ranked as a major problem by respondents. Payroll taxes were identified as a major problem by 61.8% of respondents, while dealing with government paperwork was given a rating by 56.6%. In addition, dealing with government paperwork was the least likely to be identified as no problem at all by respondents. Only 9.9% of respondents said that dealing with government paperwork was not a problem, the lowest percentage of all factors.

**The Acting Speaker:** I would ask the member if he could wind up his remarks and continue in a further debate.

**Mr Turnbull:** Just to conclude that thought, the bill we have before us, Bill 110, is giving us both payroll taxes, which are a burden on business in terms of creating jobs, and in addition to that creates a paperwork burden which is identified as the next most problematic area for small businesses in terms of creating and maintaining small businesses. With that, I will adjourn the debate.

**The Acting Speaker:** We will be able to resume the debate at a further time. It being 6 o'clock, this House stands adjourned until tomorrow at 10 in the morning.

The House adjourned at 1801.

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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Thursday 21 April 1994

# Journal des débats (Hansard)

Jeudi 21 avril 1994



Speaker  
Honourable David Warner

Président  
L'honorable David Warner

Clerk  
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*50th anniversary*

*1944–1994*

*50<sup>e</sup> anniversaire*

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 21 April 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 21 avril 1994

The House met at 1000.

Prayers.

**The Acting Speaker (Ms Margaret H. Harrington):** Orders of the day.

**Mr David Turnbull (York Mills):** On a point of order, Madam Speaker: I don't believe we have a quorum present.

**The Acting Speaker:** Would the clerk determine if a quorum is present, please.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

## PRIVATE MEMBERS' PUBLIC BUSINESS

### TENANTS ON SOCIAL ASSISTANCE

### LOCATAIRES SUR L'AIDE SOCIALE

**Mr Bisson** moved private member's notice of motion number 38:

That, in the opinion of this House, the assembly calls upon the government of Ontario to undertake legislative and/or regulatory changes that would allow direct payment of shelter allowances and benefits to a landlord from the Family Benefits Act and the General Welfare Assistance Act in situations where the tenant is in default in payment of rent.

**The Acting Speaker (Ms Margaret H. Harrington):** Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for his presentation.

**Mr Gilles Bisson (Cochrane South):** I bring this resolution to the House as an issue I think many of us have dealt with in our constituencies. However, before starting, I want people to understand quite clearly what I'm trying to do here and not misread or misunderstand what the intent of this resolution is.

We've seen over the past few years a number of people taking runs at some of the most vulnerable people in our society: the people who find themselves unemployed. I was worried, bringing forward this resolution, that people would see it in that light and say: "What is this all about? Is this about taking a run at or attacking those people who find themselves on social assistance either through family benefits or general welfare benefits?"

I want to clearly say that that's not what this is all about. What we're talking about doing here is passing a resolution that simply says that in the event a person does not pay the rent, for whatever reason—the present situation is that if I happen to be working and paying rent to my landlord, if I don't pay my rent a landlord has a mechanism by which to collect non-payment of rent. The

landlord can take me through the Small Claims Court system, bring me before the Small Claims Court and in the end have an order against me to pay the amount of rent I am in arrears.

The problem is that if a person's on GWA or FBA benefits, you as a landlord are able to bring the person to Small Claims Court but have absolutely no mechanism to collect the money even if the judgement is in your favour.

We need to explain the two parts of this. First of all, I think that is unfair. I come from a northern Ontario riding, from Timmins, Iroquois Falls and Matheson. Most of my landlords, 95%, 98%, 99% of them, are people like you and me who happen to own a house, who try to pay the mortgage through the rent they may have coming from an apartment or two within their building. If somebody falls in default of that rent, it means that landlord can't pay his or her mortgage. Clearly, especially in this day and age, you can't have that kind of thing going on.

I've had a lot of people coming into my office—I wouldn't say hundreds, but many people—over the past two or three years with exactly that situation, who say: "I've rented out my apartment. My mortgage is due. The person hasn't paid their rent. I've now started proceedings under the Landlord and Tenant Act for eviction, but I have absolutely no way of collecting the money." In some cases that could put that landlord in a really tough spot.

Most people in my riding are working-class people who happen to work at Dome or Royal Oak or Abitibi or Hembraff contracting or Kidd Creek, who own a house and pay the mortgage through the rent to a certain extent, and they can't afford to be put in that position. There's been an extreme amount of frustration on the part of these individuals when they come into my office and find out in the end that there's nothing they can do. They've been calling on me, as their member, to try to find a way of resolving this situation.

With a lot of discussion with both the Minister of Housing and the Minister of Community and Social Services, my colleagues and other colleagues across the way, we talked about one of the ways we can possibly do that.

One of the things we need to understand is that when it comes to social assistance, general welfare benefits or family benefits, there's a very good reason you're not allowed to garnishee somebody once you've gone to Small Claims Court. The money they get is to help them in a situation, more than likely an emergency situation, especially on general welfare, and it was intended through the act not to allow people to be garnished in that situation because the little amount of money they get

is to pay for sustenance, food, the hydro bill, for making sure your children have shoes to go to school, that you can just do the basic things in life. In the wisdom of the former Conservative government when they put together this act, they understood you can't start garnisheeing people with \$600 a month coming in to pay for groceries for the family and some of those benefits. That's why you're not able to garnishee in a court.

1010

I tried to look at doing this in another way, and what we came up with is this resolution that basically calls on the government to do something that's fairly simple. In situations where somebody falls behind on their rent, and clearly only in those situations—first, we have to understand up front that people on social assistance pay their rent at the same rate as people not on social assistance. People on social assistance are as responsible as people not on social assistance. I don't want to leave an impression that because somebody who happens to be unemployed runs out of unemployment insurance benefits and ends up on social assistance, somehow they're irresponsible. That's not what the issue is here.

The issue is that we need to find a mechanism that allows a landlord to get access to the dollars he or she is owed for that rent. What you've got is a contract between a tenant and a landlord. The landlord, in good faith, says, "I will let you live in that apartment and I will provide services to you to make sure you have a good place to live, but what I want in exchange is that you pay your rent at the end of the month," and clearly the landlord is entitled to that payment. This is what's at issue.

I'm calling on us to do simply this: In those situations where the tenant has gone into arrears situation and the money is not able to be collected through normal means, we put in a mechanism that the landlord under that circumstance is able to go to the authorities and say, "Pay the rent directly to me through their shelter allowance." I think that's a fair compromise.

I know there are people who will criticize me. I've had this discussion with people in the House on both sides, and I've had some members from the Liberal caucus as well as members from my caucus say, "Isn't this an attack on welfare?" I want to say up front that this is not what this is about. It's about saying we have a contractual obligation between a landlord and a tenant, and if the landlord's expected to fulfil his or her obligations in that contract when it comes to providing the tenant with an apartment, surely to God the tenant has an obligation to pay that rent. That's really what this is all about. Basically, what we're calling for is a very simple thing: to allow direct payment of rent in the event that the individual falls into arrears so that a landlord is able to be paid.

I want to bring forward another thing that really bothers me. One of the things we have going through society over these past years is that for some reason, I think because of what's happened in the economy, many people tend to try to blame the problems in the economy on groups of people. One of the things we've seen over the past four, five, 10 years is that many people, from all parts of the political spectrum to a certain extent, turn the guns a little and aim them towards people on social

assistance, and say that just because somebody's on social assistance somehow they're not responsible. We're hearing a lot of derogatory comments through the media, made by very responsible people in our societies, about people on social assistance.

I think we have to refrain from that. We need to understand that fundamentally there is no difference between a person on social assistance and a person who happens to be working, other than that they don't have a job. That's the difference. People do things with the same frequency on social assistance as they do when they're working.

I want to point to an article I read in today's Toronto Star, a comment made by the Prime Minister yesterday here in Toronto while speaking to a group of newspaper executives. He says, "In my judgement it is better to have them at 50% of productivity than to be sitting at home, drinking beer, at 0% of productivity." I think that's a disservice to the people of this province, a disservice to the people on social assistance. I didn't know that only people who are on social assistance sit at home and drink beer. I sit at home and drink beer like anybody else, and I'm sure my colleagues do too. I see the members across the way waving. I think we have to be very careful not to make those kinds of statements.

Je voudrais seulement, en finissant, expliquer un peu en cours exactement ce que la résolution demande. C'est pour avoir un mécanisme, en fin de la journée, que si le locataire qui paie le loyer et, pour une raison ou une autre, cette personne n'est pas capable de payer son loyer à la fin du mois, qu'on donne directement à la personne à qui appartient l'appartement l'opportunité de faire la collecte de ce qui lui est dû directement, que dans une telle situation la personne à qui appartient la bâtisse est capable de mettre en place un mécanisme pour être capable de payer directement à lui ou elle l'argent qui lui est dû.

Clairement on n'a jamais, je pense, dans cette Assemblée ou n'importe où dans ce pays, dit que juste parce qu'une personne se trouve sur le bien-être social pour une raison ou une autre, elle n'a pas le droit et n'a pas la responsabilité de prendre ses responsabilités. Je pense qu'on a besoin d'être clair que tout le monde sur le bien-être social, c'est du monde responsable comme n'importe qui d'autre.

Mais ce qu'on a c'est une situation présentement où les règlements qui traitent la situation — si une personne est sur le bien-être social ou si une personne n'est pas sur le bien-être social — ne sont pas égaux. Ce que cette résolution demande, c'est simplement qu'on a besoin d'avoir de l'égalité dans la loi qui dit que dans n'importe quelle situation, les règlements qui s'appliquent à cette situation sont exactement les mêmes.

Just in closing, I would like to call on my members in this House, because I know you face this problem as well in your own constituencies, to join me today to pass this resolution so we can move forward and bring some fairness to the people of this province.

**The Acting Speaker:** Now each party will have 15 minutes, in rotation, to debate this resolution.



**Mrs Yvonne O'Neill (Ottawa-Rideau):** I'm pleased to participate in the debate on the resolution put before this House this morning by the member for Cochrane South. I'd like to state from the outset that I find the resolution very confusing. The remedy he seeks through resolution 38 already exists within the regulations of the General Welfare Assistance Act and in the trusteeship provisions of the Family Benefits Act.

First, I find it passing strange that the member for Cochrane South presents his resolution today just two weeks after the Minister of Community and Social Services told the recipients of social assistance in this province that they will no longer be paid a minimum shelter allowance but will be paid actual costs. Surely the minister has an administrative process in place to determine what these actual costs are, either through lease conditions or rent receipts or trustee arrangements. I ask the member for Cochrane South, have you talked to your Minister of Community and Social Services about this matter?

The GWA act and regulations manual, section 0104-02, as it exists today, this morning, in this province outlines measures available to recover rent from social assistance recipients, and I underline;

"If the administrator decides to pay for items on behalf of the recipient, the authority is contained in section 12(1) of the regulations, which states that an allowance shall be paid to or on behalf of a person, eg, shelter costs to the landlord, fuel allowance to a fuel supplier; the welfare administrator, or any member of his/her staff, may be directly involved in the apportionment of the applicant's assistance and the payments to the other person(s) on his/her behalf."

In addition, the landlord always has the option of eviction or court proceedings.

I have verified the information I have just related with a number of municipal social assistance commissioners over the past few days as well as with my contacts in the Ministry of Community and Social Services, and I am told that the vast majority, over 90%, of welfare recipients pay their rent on time and in full and that the GWA remedy quoted above is very, very rarely used.

The member's resolution therefore does not adequately consider existing regulations which already permit the remedy he seeks from this House this morning. If there's a weakness in the system, it's the reluctance of a local administrator to use the power that he or she possesses.

May I suggest that the member for Cochrane South be very careful to examine the financial, social and legal costs involved in the implementation of his resolution. To download the additional administrative expense of accounting for, producing and mailing two cheques instead of one would add significant financial burden and would force further cutbacks in existing programs which are sorely needed in our communities.

1020

As the member for Oakville South did two weeks ago, this speaker wants a different standard of justice for people on social assistance than for others in Ontario communities. I have no doubt that this resolution will

lead to a large number of challenges to the Social Assistance Review Board and to the courts. As you know, current backlogs in both bodies already force long waiting periods on people seeking a hearing, delays which are costly to this province and to the individual appellant.

In closing, I find it curious that the NDP caucus suddenly has a belated concern for Ontario landlords. I would suggest that the member for Cochrane South share his new concern with the Minister of Housing, whose retroactive rent control legislation destroyed the life savings of so many of Ontario's small landlords of whom the member speaks.

I cannot support this member's resolution this morning. It's imprecise to the ultimate and therefore open to many dangerous interpretations. The social assistance recipients in the member's riding and across Ontario deserve better from him and from the government he represents.

Sadly, the Queen's Park contest I mentioned two weeks ago continues, a contest based on sweeping pronouncements rather than hard evidence, a contest that will increase appeals to the Social Assistance Review Board, a contest that's based on confusion, a contest where the prize is unknown. The contest now has a new player in the member for Cochrane South.

I close by sharing an editorial cartoon from the Windsor Star. It shows a line of people entering and exiting a welfare office. As they exit, they are each wearing a target. Is this how the score is now kept in Queen's Park between the Treasurer, the member for Oakville South and the member for Cochrane South?

**Mr David Turnbull (York Mills):** I take great pleasure in joining this debate today and congratulate my colleague from Cochrane South in bringing forward this resolution. Frankly, I wish it was a bill. It's an issue I've wanted to speak on for quite some time. I will just title my few words that I'm going to add to the debate *A Tale of Two Constituents*. They're two stories that I've come across since I've been a member.

The first concerns a constituent of mine who came to me, desperate for help. She was a Jamaican immigrant of very modest means who had scraped together every penny that she'd ever earned and saved and had managed to put a deposit down on a very modest bungalow. Because she wanted to improve the life of herself and her children, she recognized that at the beginning she could rent more modest accommodation for herself and she would top up the amount of money she was getting in rent in an effort to build up some equity in the house.

She bought it at the depths of the recession, so it certainly helped the economy, and then went, actually, to the welfare office and said: "Do you have a family that needs accommodation? I will rent this." In fact, the welfare office recommended this family and the family came forward and she rented. It was a single mother who turned out later to have a man who was a live-in boyfriend—well, some of the time. He was a truck driver. He was also a motorbike gang member.

The truck was parked illegally on the driveway to this house and the tractor of the truck started to damage the

driveway. The owner of the house complained that this was not appropriate, that they were not supposed to be parking the tractor on the driveway. She was told in no uncertain terms to get lost.

**Mrs O'Neill:** Because she was on welfare.

**Mr Turnbull:** I'll ignore the babbling on the side.

The tenant stopped paying the rent and the owner of the house went in desperation and said, "Look, I haven't received your rent," and she was put off for some length of time. Then it became very apparent that the tenant, who was a welfare recipient, had no intention of paying the rent.

Finally, in desperation, the Jamaican immigrant—and I emphasize "Jamaican immigrant" because today there are so many negative things that people are saying. They're good, productive people who have come, like my colleague, from Jamaica originally. We have got so many people who come here and work hard and contribute to our society. She was trying to improve her lot and she was in danger of losing her house; she was in danger of losing all the money she had invested because she couldn't meet the mortgage payments.

She went to the welfare office and the welfare office, responding to a request from the owner of the house—it was a very simple request. It wasn't, "Pay me directly," in fact; it was just, "Can you put aside that money into some sort of trust fund until at least I can go through the court process?" which was going to take about three months, to be able to at least get the tenant out. The welfare office said, "No, we will not do that." They continued to pay the full amount to the welfare recipient. Meantime, the money was being spent on other things instead of accommodation. The welfare office could very easily, if it had been directed to respond to these kinds of situations, have put it into a trust fund and that's all that would be required, but it refused to do it.

Finally, this lady of very modest means came to me and she was on the verge of tears, saying, "Please, can't you help me?" I investigated and unfortunately, no, there wasn't any way I could help. I felt very bad, because this immigrant who had come to Canada to better her lot and was a productive member of society was being victimized by the way in which the welfare system was working.

The second story, because I said it's A Tale of Two Constituents, is of another single mother who came to me and she was a welfare recipient and she had suffered, some months before, the loss of her mother. In her bereavement she had reached out for the only vice she had, and that was to go to bingo parlours. She started gambling quite excessively in the bingo parlours and spent all the money that she would normally spend on rent and got herself deeply into the hole. Finally, the landlord was moving against her to have her removed, and she too was on the verge of tears, saying, "What can I do?" I asked her, "Why didn't you pay your rent?" She had no logical reason.

If we had a mechanism which would allow the welfare office, in those few cases—as the last speaker mentioned, 90% of the people on welfare or better, maybe more than 90% but certainly the vast majority of welfare recipients,

don't want to be on welfare. They don't want to be in that situation. They want to be productive members of society. But sometimes people get off the rails and it's a very difficult time.

There is an element of people who deliberately want to use the welfare system in this way, and the welfare system couldn't move in and help. In both of these cases, the system was not working to help them. When people are in these desperate straits of being on welfare, we should reach out and certainly, for the landlords who have welfare recipients as their tenants, we should not make it a difficult situation.

I see my good friend Mr Mills just entering the House. I remember well speaking to him about this particular problem, and he was very sympathetic at the time to what I was speaking to him about. In fact, in discussions with the minister, we were getting nowhere.

I commend my colleague across the floor. I wish that you had brought this as a bill. At least if you have a vote today, sir, where the House supports you, I hope you will use that within your caucus to move this issue forward, because we do need to help the welfare recipients who get off the rails and we also need to help the landlords, the people who rent to welfare recipients, so that it doesn't become a very odious thing having a welfare recipient. If in any way I can help you in your task, I assure you I'm at your disposal.

1030

**Mr Len Wood (Cochrane North):** I'd like to start off by saying that I fully support the resolution that's brought forward by my good friend and colleague the member for Cochrane South. What this resolution speaks to is very dear to some of the people in Cochrane North who are in the business of rental units and to the people throughout my riding.

There are a lot of landlords who have two, three or four apartments who depend on an income from tenants to make ends meet, to make their payments and to do the necessary repairs that they have on the building. What I would like to see, and I'm sure we're going to get a lot of support from my own colleagues and members of the opposition and the third party, is that when there's a lapse of a month where the rent hasn't been paid, there is a mechanism in place for the landlord to collect the rent that is owed. This would ensure that the tenant and the landlord would be able to have the agency pay the rent so that the tenant is not faced with an eviction and the landlord does not have to worry about financial loss. In most cases, direct payment of the rent would be a solution.

I don't want people to think I would consider that those working and those on general welfare or family benefits are any different. If there's an income that's coming in, whether it's from an employer or from family benefits or from welfare, people are expected to pay their rent. In society, this is what we expect. But there are situations where in various parts of the province things are handled in a different situation.

We know that our government has been looking at changes and amendments to the general welfare assist-



ance in finding ways of helping people gain access to training, find suitable day care facilities and find jobs through Jobs Ontario projects which fund employers. Jobs Ontario cannot do this alone, but we have to deal with this. I believe this resolution will deal with the situation between landlords and tenants.

We have to understand that after losing their jobs and running out of unemployment insurance benefits, they have no choice but to utilize the welfare system. We know it was created only as a cushion for those unable to find employment, but they have to have a certain amount of money and a little bit of income to be able to make ends meet from the time they've lost their employment and ended up on either family benefits or welfare until they get back into employment.

At the same time, I've met many landlords who are going through tough times: four or five months without receiving any income through rents. I believe this is not necessary in today's society. Most people pay their rent on time, but I would suggest that there are probably in the neighbourhood of 2%, 3%, 4%, at least less than 10% in my riding, where the landlords are having problems. I've met with the landlords' association, I've met with individual landlords and they've raised the issue with me: "Len, how can you help us to make sure we're not put in the position where we have to evict people from their apartments? Is there a system of direct payment that can be put in place? If they're one or two months behind, is there any way we can get the rent?"

I know this is not a new situation. It's been developing over the last 20 years. But we also have to understand that we've been in a recession, the worst recession in 50 years, which has been going on for three years.

With that, I would just like to say once again that I congratulate my good colleague Mr Bisson for bringing this forward during private members' hour today. I'm sure he's going to get support from the government members, the official opposition members and the members of the third party. I congratulate him on that.

**Mr Alvin Curling (Scarborough North):** I too appreciate the opportunity to speak on this bill, which the member for Cochrane South introduced as ballot item number 49.

It's rather interesting that the NDP, the government of the day, is introducing something like this. I'm not at all surprised that it's a private member's bill. The fact is that now they have the opportunity to bring in something sensible as a government bill, but what they are doing is floating this situation on a private member's bill about shelter allowance. They would never have thought about it before.

The problem I have is that, as a matter of fact, I fully agree with the member for York Mills that it should be a government bill, not a private member's bill.

The NDP, as you know, Madam Speaker, and you fully agree with me on this, has never had a balanced view on housing. They have always advocated only for the tenants, who need, of course, some advocates in order to support their position, and justifiably so. But as a government you cannot look on only one side of things.

If you're bringing legislation in, it should be balanced.

Not at all surprisingly, the Conservative Party has never understood housing policy, because it feels that only the landlord should be driving this policy of housing.

We and our leader, Lyn McLeod, have stated over and over that we must have a balanced approach to housing policies. We must involve the non-profit housing component and also the private sector contribution in giving supportive housing to the people of the province.

Unless we decide that we can take it sensibly and approach it in a manner where we can have a balanced approach, we will always have this adversarial aspect of it, one supporting the tenant and the other supporting the landlord. In the balanced approach, we'll have a proper housing policy.

How surprising it is too that this legislation talks about a shelter allowance. Let me first say that I believe in shelter allowances. I believe too that we should have control. We have a rent review process that we brought in in 1986 and followed through with in order that we have some control of the charges for our rental accommodation.

The problem we have in this situation here is on the road to a proper way of handling shelter allowance and handling rental payments, and default in rental payments. As my colleague stated, there are provisions that can be done in order to require the amount of money be placed for the rent to guarantee that landlords get their money when there is default.

Many of the landlords and the care givers today in our cities, especially in Toronto—I know of a group that is challenged all the time by those people who are given accommodation. They are unable to collect the rent, because as soon as those individuals get their rent, some demands are placed on them that they sometimes seem to respond to quicker than their accommodation. Accommodation is so important. The care givers say to them: "Your accommodation is first. That's what you should emphasize. In this country there's severe cold and you need this accommodation. You must pay for that."

However, some other people hijack them of their money or demands are placed elsewhere and they have no accommodation. What happens is that they have to go somewhere else, like the Salvation Army or some other shelter, to get accommodation for the night because they're scared to come to the place where they did not pay their money.

What is happening? The government would have paid twice. They would have paid them through the welfare or the family benefits for accommodation, but which did not get paid to the care givers or the landlord, and then they would go to the shelter, where it is again paid.

1040

I think the direction in which the member is going is right, that we should have some sort of shelter allowance, maybe a certificate, in the sense that, "Here is a housing certificate and it can only be spent for accommodation." You give that in order to get your accommodation going properly.

The public trustee, of course, as we know, handles some of those situations. They are just overwhelmed with the type of administrative work they have to do.

The hospitals also at times handle some of these situations where people have nowhere to go after leaving the hospital or they would more or less have their funds coming in and not be able to re-enter the place where they're owing rent because, again, they have abused it.

So I think it's the right direction, but I want to say there's a bit of hypocrisy here, though, which bothers me. The fact is that the Housing minister, who I find very insensitive to the overall policy of housing, that she would have not come in here today and say to the honourable member for Cochrane South, "Let's get together and make a bill that will address the situation on the government level"—but oh, no, sneaking it through here hoping it will die.

**Mr Gordon Mills (Durham East):** It is only a resolution.

**Mr Curling:** My colleague on the government side says, "It's only a resolution." In other words, let's float it; it will die. I'll tell you something: There are many members on our side who are prepared to support this and also the Conservative side, although I'm not quite sure the Conservatives understand the process of housing, will support that. I'm sure every single one of your members over there will support the shelter allowance situation. I know that. You're committed in order to make sure that everyone who's in need of accommodation will be paid through this shelter allowance process.

But it's a half-baked process. Do it properly, as my colleague said, so that in some situations it can be addressed, but now, presently, come forward with a bill that is sensible. Come forward like what the Liberals did and bring a balanced approach to housing. Come forward right now and assess the situation properly now that the cost of non-profit housing is even higher than the private sector which can produce accommodation. Say to yourself, maybe non-profit housing can be better delivered through the private sector, because right now, you are delivering non-profit housing at a higher cost.

You see what I'm saying? The NDP, who used to be so concerned about accommodation on the one side, and the Conservatives, who seem to be so concerned about accommodation who want to deliver in the private sector, don't understand that both sides have to come together in delivering that, exactly the way the Liberal Party, through Lyn McLeod, has said over and over. As a matter of fact, in Ottawa, Lyn McLeod has stated that what we should be doing is put a moratorium, a stop, on all of this. Let's look at it rather sensibly and decide to come up with a strategy to address the needs of people.

I know how sensitive it is to all that they're playing politics with this. In Housing itself, in all respect, while they have their hearts in it, their minds are not there at all. They don't have the full understanding of it. Get the private sector, get some of the non-profit people who have worked along with this to give you some of the answers, not come in with this kind of half-baked situation in order to say that this is the way we will deliver shelter allowance and protect the landlords.

Landlords, of course, need to be protected. Their assets need to be protected in order that they would have that accommodation for those people who come in here.

I will support this, I tell you, and hope that the Minister of Housing is listening and also would bring in a rather sensible bill to cover it all.

**Mr Allan K. McLean (Simcoe East):** Now we've had a lesson from the former Liberal Housing minister, we can prepare to deal with the opportunity that we have to comment on the resolution from the member for Cochrane South.

He calls on the provincial government to make legislative and/or regulatory changes to allow direct payment of shelter allowances and benefits to a landlord from the Family Benefits Act and the General Welfare Assistance Act, when a tenant is in default of his or her rental payments. I just wish this had been in the form of a bill instead of a resolution and we could have had some time in committee to debate it.

Many landlords in Simcoe East tell me they're sick and tired of people ripping them off and ripping off the system and they say to themselves: "We are struggling to survive. We're operating under rent controls."

Ontario taxpayers deserve and are demanding social services; they want workers' compensation and health care that are effective and accountable and not a waste and a fraud. I want to make it clear that the landlords and I know the majority of welfare and family recipients are truly in need. But we also know there always will be a small group of people who will take advantage of and abuse our caring social system. Those same people who are taking advantage of the system will not hesitate to stick the landlords with unpaid rent and their unpaid hydro, gas or oil bills.

Landlords are taxpayers and they understand better than most the need for government to provide services in an efficient, responsible and financially sound fashion.

I'd like to share with you just a couple of instances of people who brought to my attention—Helen Wright, who owns property on Barrie Road in Orillia, and Marie Richardson, who owns property near Elmvale.

On March 21, Helen Wright wrote to me with regard to some problems she was having collecting rent. Tenants moved in in April 1993 and by July 1993 they'd only paid \$600 in rent. By a few months later, there was \$1,640 that was an outstanding balance. She supplied a letter to the welfare department, signed by the tenant, directing them to pay the rent directly to her. However, they refused to do that. The tenant agreed to do that, but the welfare system would not do it. If there's an administrative problem, then how come we're getting these letters from people such as that who do want to have it paid direct?

The other lady, with regard to the problems she was having—they had a lot of damage done to their property. The landlord spent \$300 extra, over and above, in legal costs; \$1,300 of a bill she had and nobody would pay it.

We all know there was a time when tenants had few rights to protect them from the few unscrupulous landlords who tried to take advantage of them. However,



times have changed and I believe the pendulum has swung too far in favour of some tenants who abuse the social system and the patience and goodwill of the landlords.

That is why I will be supporting this resolution to allow direct payment of shelter allowances and benefits to a landlord from the Family Benefits Act and the General Welfare Assistance Act when a tenant fails to pay their rent. I thank these people for giving me the opportunity to read some of their letters in this debate today so that tenants and landlords will have a deal whereby their rent will be paid directly if they so desire.

**Mrs Karen Haslam (Perth):** I have had several calls to my office about this issue and that is some concern to me because, to tell you the truth, this isn't a large metropolitan area like downtown Toronto. This is a smaller community where we know a lot of people and everyone knows each other, but it's become worrisome because I see this type of thing happening even in our smaller communities.

I would like to mention a couple of letters I've got. One was from a gentleman who said: "As a landlord, I feel it is very unfair that I can't collect from a bad tenant. As of now, I have a tenant that owes me four months' rent, plus over \$500 to get them out. In my opinion, people living off the taxpayer should be just as obligated to pay their rent as a person working for a living and they should be made to pay through the courts the same as a working person.

"I will not rent to someone on mother's allowance again unless I am guaranteed I get the rent. The rent cheques should go to the landlord directly."

When my opponents talk about targets, we see here that there are people being targeted, but they are everybody else on FBA or everybody else who needs social assistance and that's a concern. I think we do have to tighten up for those who aren't following the rules, who aren't playing fair.

He goes on to say: "I hope these issues will be given some thought and consideration. As a landlord, I like to be fair to everyone, but I can't let this kind of thing happen, as I need to collect rent in order to pay for the upkeep of the apartment, such as taxes, expenses," and so on and so forth.

1050

I had another letter from a gentleman, who said:

"I have a problem. I had a person living in the house. She was finally evicted for non-payment of rent for many months, damage to the apartment, continually disturbing the rest of the neighbourhood. I had a rough time getting her out through the courts, which cost me more money on top of having to pay for the upkeep of my place and fixing the apartment up after she left.

"I attended court twice, to which she never bothered to appear nor send anyone on her behalf to represent her. The General Division agreed she must pay back half the utilities. That amounted to over \$500 plus my expenses. In small claims court I was awarded in the area of almost \$3,000 for back rent and damages. This is all fine, but I have not been able to collect a cent.

"This person is on mother's allowance and it seems that she gets off scot-free at my expense and continues to abuse the assistance programs to this day."

That's what I'm saying: In some cases there is abuse, but even though the courts determine that the landlord is entitled to arrears, the likelihood of ever receiving this money from FBA recipients is virtually nil. Being on social assistance should not exclude persons from their financial responsibilities.

Firstly, being on social assistance should not exclude persons. The money a social assistance recipient receives monthly is based on their budgetary needs. The shelter allowance is based on their actual monthly rental or mortgage costs. If a recipient is receiving money to pay this shelter cost and is not putting it towards this expense, they are in essence committing fraud. If they did not have any shelter costs, their budgets would be adjusted accordingly.

Is there a way this problem could be remedied? In a case such as this, where the courts have determined that the landlord is legally entitled to collect the rent arrears, could the recipients be charged with an overpayment for the moneys instead of using them for shelter costs?

A second concern is the fact that presently landlords are unable to collect arrears, even though the court has ordered, and that, unfortunately, affects all persons receiving social assistance. It is probably one of the main reasons landlords are hesitant to rent to social assistance recipients. I am aware of landlords that are legally not allowed to discriminate, but the reality is that this problem does affect the decision in selecting their tenants.

There are no specific directions given under FBA or GWA as to how a person must spend their allowance; however, it is expected that people receiving social assistance pay for their shelter costs. Overpayments cannot be collected from recipients based on the manner in which they spend their allowance, but rather overpayments are recovered where a recipient has received assistance to which he or she is not entitled. Therefore, let me point out that they would not be entitled to this percentage—

**Mr Cameron Jackson (Burlington South):** Two per cent of that is recovered.

**The Acting Speaker:** Order.

**Mrs Haslam:** That's correct. They would not be entitled to this money if they're not giving this money to the landlord. Therefore, we should be looking at a way that we can tighten up the criteria.

It's unfair. It's unfair to landlords because they're the ones who are renting and not getting their damage paid, they're not getting recovery through the courts. It's unfair to other GWA recipients because they are targeted like those who are not following the rules. It's unfair to the FBA recipients because people don't designate between those two, and therefore the FBA recipients who are being fair, who are on social assistance and need some help, are not being treated fairly. It's unfair to the women and the children who need social assistance, who need places to live, and they need decent shelter.

So I think the solutions are not quick to find, not easy

to find. I think it's something that we do have to look at, and I will be supporting my colleague's motion in this instance.

**Mr Mills:** I am pleased to rise in my place this morning and speak in support of my colleague from Cochrane's resolution.

It's not an easy solution that we're faced with. I want to just start off my comments by saying, most people on welfare today and in receipt of some social assistance are there not because they want to be there; they are there because they're grasping at the social network to keep them afloat until they're able to get back into the workforce.

I do not like the statement made by the Prime Minister of Canada yesterday in the House of Commons that suggests somehow that people on welfare are just hanging around drinking beer and wasting time and picking up money. Most of the people in my riding who are on welfare are there because it's the last straw in their existence. I have people—

**Mr Jackson:** He is only talking about the poor in Ontario.

**Mr Mills:** You tell Earl Warren that on your show. I'm speaking.

I want to talk about the problems that people have in my riding. The member for York Mills and I discussed this over a year ago. Some of the people in my riding are ordinary working folks who have somehow managed to get together the down payment on a house and the very essence that they can hang on to that property after all those years of effort is through regular payment of rent.

I believe, contrary to some of the debate that's taken place, that most people on social assistance are decent, upright citizens and they're there because there's no other way from there. These people also meet their obligations in a very honest, straightforward way. But like every situation that we have in the province of Ontario, there are some people who don't play the game. This is likewise true in paying the rent.

There are certain pressures that come upon people at the end of each month, I'm sure, that force their hand about who they're going to pay and what they're going to pay first. What I would like to see, my colleague from Cochrane, is that some method be put into place where people who miss one month's rent are given some sort of stern warning and spoken to and told this is not on and the next time, the right of paying the rent themselves is taken away.

I think everybody, whether you're on social assistance, whether you're in the workforce, should have the dignity to be able to manage the money that they get, be it from work or from social assistance. I am a great believer in that dignity and giving the people that dignity to manage their own affairs. I came from England years ago when people ended up in the workhouse. I think that's awful, that we somehow say to people: "You can't manage your affairs. The state is going to take over and we're going to pay the rent for you."

Something has to be done and it's my understanding, I believe, that down the road in some reform this issue is

being looked at and I look forward to that day. But in the meantime, I want to make it perfectly clear that while I support this resolution this morning, I also recognize the dignity that we should afford to people who, as a last resort, are on social assistance for their very existence, brought about, I might add, by the diabolical free trade agreement and NAFTA and all these other measures that—

**Interjection:** GST.

**Mr Mills:** And the GST, my colleagues over there, their cohorts.

I also read in the press yesterday that the federal Liberals are determined to cut and slash more transfer payments to the province of Ontario and make more people dependent on the social assistance programs. I don't know where we're going to get the money but I say shame on the federal Liberals, shame on the 96 people who do nothing for this province and shame on the Prime Minister of Canada for suggesting that people hang around and drink beer.

**The Acting Speaker:** Thank you. The member's time has expired. Further debate? The member for Burlington South.

**Mr Jackson:** I just can't believe it. I imagine Tommy Douglas must be rolling over in his grave to listen to the outpouring of support from the socialists for the private sector. I'm going to send this Hansard to so many people who won't understand what this new enlightenment on the part of the NDP is. There isn't an NDP member in the House today who has any more than three years' experience in this Legislature, and that's unfortunate. The truth of the matter is that they would be aware that there has been resolution after resolution in this House calling for this kind of reform.

I commend the member for Cochrane South for his courage in bringing this forward. It's not an easy resolution, after all. But the arguments purported by the government that this has got to be fairer for landlords is an unbelievable argument coming from the socialists. I applaud them, I applaud every speaker who has gotten up with this new-found version of hypocrisy, but if that's the new marching orders from the Premier, go for it.

1100

The truth is that the Liberal government, when it was running the show, started out—I want to give you some idea. If you listened to the Liberals, what was their argument? The argument was that it would be too bureaucratic.

**Mr Anthony Perruzza (Downsview):** Can't you figure it out, Cam?

**Mr Jackson:** You might learn something. Listen to these figures. When the Tories left power in 1985, we were spending \$8 million on rent control, to administer the entire rent control plan in this province. After the ravages of the Liberal government, including a former minister who stood up in this House and spoke on this debate, rent control is costing the taxpayers of this province nearly \$50 million. So much for the Liberal argument about growing bureaucracy.

Now the NDP has a bill before the House called Bill



120 that's going to expand rent control services to thousands and thousands more residents in this province, including illegal basement apartments, all sorts of people receiving care in retirement-type homes. The government has been asked for the last nine months, how much more is it going to cost? You know what? They don't have a figure. So why should we be surprised that we have a very good resolution here today where the Liberals say, "My God, it's going to cost more money"—we know that—and the government can't tell us how much?

There are a lot of problems associated with social assistance and ensuring that every citizen has a right to accommodation. We have argued, for example, that we cannot compound the difficulties facing the poor by exposing them to more lotteries and gambling and opportunities to have their limited paycheque diminished. The children become school-phobic because they're more mobile, and tenants are rotating in and out of these buildings because they fall behind in their rent.

The truth of the matter is that the Tories have been fighting for shelter subsidies and this kind of linkage for the last eight and a half years. So I applaud the member for Cochrane South for bringing forward the resolution. I can't believe my ears that the NDP is actually defending landlords in Ontario, but thank you.

**The Acting Speaker:** Time for debate has expired. The member for Cochrane South has two minutes to respond.

**Mr Bisson:** I appreciate the comments made by my colleagues today in regard to what a lot of members recognize is a fairly serious issue and, I would admit, an issue many of us have been trying to deal with over the years.

I just want to respond to one thing so that there's no misunderstanding. One of the assertions that was made in the debate is that there is a mechanism already within GWA for a landlord to collect the rent directly. If we take a look at the system, it doesn't work, because one component is that the landlord must get the tenant to sign the paper to make it happen, and that's a fairly difficult situation to make happen.

What I'm calling for is to make sure we have a system in the end that says people their responsibilities when it comes to a contractual arrangement made between a landlord and a tenant. No matter whether they're a working person or a person on social assistance, they must take that responsibility. No way should a landlord be in a situation where because a person decides they don't want to take their responsibility, his livelihood and his home are put in jeopardy.

We must put on the record that the vast majority of landlords this would affect are people like you and me, people of working class who own a home because they're able to rent a unit in it to pay the mortgage. To put people in a situation where all of a sudden, because a tenant decides not to pay the rent, you have no recourse is highly unfair not only to the landlord but to the tenant.

I applaud the members who are going to be voting with me today to support this resolution, and I really, really appreciate the support they have given.

Juste pour conclure, je veux seulement dire que j'apprécie beaucoup le temps que les députés ont pris pour parler sur cette motion. Je veux dire clairement que les règlements que je regarde pour faire des changements donneraient finalement en Ontario, si on est capable d'en venir à un accord pour supporter cette résolution, l'occasion de mettre en place un système qui dit qu'on a des règlements qui sont égaux pour toutes les personnes impliquées dans cette situation.

**The Acting Speaker:** The member's time has expired. A vote will be held on Mr Bisson's motion at 12 noon.

#### AMMUNITION CONTROL ACT, 1994 LOI DE 1994 SUR LA RÉGLEMENTATION DES MUNITIONS

Mr Chiarelli moved second reading of the following bill:

Bill 151, An Act to control the Purchase and Sale of Ammunition / Projet de loi 151, Loi visant à réglementer l'achat et la vente de munitions.

**The Acting Speaker (Ms Margaret H. Harrington):** Pursuant to standing order 96(c)(i), the member has 10 minutes for his presentation.

**Mr Robert Chiarelli (Ottawa West):** Canada spends \$7.7 billion per year on policing, in our courts and in our correctional institutions, yet people still don't feel safe on our streets and in our communities. On the question of violent crimes, people want governments to act and to act now. They are demanding, and they are entitled to, stronger measures of prevention and stronger measures of enforcement.

Unfortunately, for some people it will be too late. Of course, I'm referring to the type of case which occurred in Ottawa, the Nicholas Battersby case, where a young man was gunned down while walking on an Ottawa street in a drive-by shooting, and the café killing of Georgina Leimonis in a Toronto-area café.

And of course we have a lot of people who are demanding stronger action of enforcement, in fact zero tolerance, in our schools.

On that point, I want to refer to a letter which I received from an Ottawa-area high school teacher, one Colleen Fraser. It's dated April 8, 1994, and addressed to me.

"As my MPP, I must remind you that the Elgin Street slaughter and mayhem that has so sickened Ottawa is once again an opportunity for our society to address the misguided direction in which we are all heading." It goes on to say: "Is it not now time for law-abiding members of society to receive a signal from the justice system that their rights and safety are at least as important as those who victimize others for adventure? As a local high school teacher, I am frightened by the increasing violence and lawlessness within the schools. How can students learn academic and personal responsibility when increasing murder and assault are punishable by such insignificant penalties?"

And it goes on to say: "Please respond to my concerns with something other than a form letter. In particular, I very much want to know the changes you will be advancing in response to this latest outrage."

People everywhere are asking the legislators for action and they want to know what we are going to do. Indeed governments have been lax and must act now.

We limit by age the sale of cigarettes. We limit by age the sale of alcohol. We limit driving by age. But we have no such limit on the sale of lethal ammunition. That has to change.

Indeed, according to the Ottawa police, in the drive-by shooting on Elgin Street, by young offenders, I might add, the police say it was an illegal weapon but that the bullets were store-bought over the counter, bought legally by these young people, who are not of age to buy alcohol or cigarettes. That's intolerable.

Why this bill? This bill is An Act to control the Purchase and Sale of Ammunition. People are saying, "We want stronger action on gun control, enforcement and prevention." Well, we in this Legislature do not have the authority, the constitutional jurisdiction, to deal with gun control matters. That is for the federal Parliament to do under our Constitution. Indeed, the federal Minister of Justice has stated that he is going to move, and move quickly, on the area of gun control in terms of prevention and enforcement. We encourage him to do so. We support him in doing so, because the people in Canada, the people in Ontario, are demanding it at the present time. They do not feel safe on our streets. So this bill deals with a retail matter which we feel is within the jurisdiction of the province of Ontario. It deals with the control of the sale and purchase of ammunition over the counter.

1110

It's a very simple bill. I'll read a couple of the sections.

First, "No person shall purchase ammunition unless the person holds a valid Ontario Outdoors Card with the appropriate hunting licence or a valid firearms acquisition certificate and produces it at the time of purchase." Of course, for that there are penalties of up to \$5,000 for the first offence and up to \$10,000 for a second or subsequent offence. I've received a lot of comments from people who feel these penalties are not sufficient enough, that they should be higher, but hopefully this bill will be referred to the standing committee on administration of justice, where changes can be made and suggestions can be received.

The bill also says, "No person shall present, for the purpose of purchasing ammunition, an Ontario Outdoors Card with the appropriate hunting licence or a firearms acquisition certificate other than the card and licence or the certificate that was lawfully issued to him or her." That also has penalties of up to \$10,000. That is going to be used to prevent the transferring of this card, which is already issued in Ontario but is not required for the purchase of ammunition. The transfer and forgery of this type of card would be a serious offence under this legislation.

This bill is not a major step in the course of crime prevention, the use of guns and the whole area of gun control. It is a small but important step. It is an area this Legislature has the jurisdiction to deal with. We're asking

the people who will be here to vote today in the Legislature to support this bill in principle and send it to the standing committee on administration of justice.

The major steps in terms of gun control, prevention and enforcement, as I said, are at the federal level, and we encourage the federal government and the federal Justice minister, the Honourable Allan Rock, to move on that as quickly as possible. But there are some steps, major steps, which can be taken in the province of Ontario by the Attorney General. Of course, she can instruct prosecutors to seek stricter sentences for persons convicted of gun-related crimes. She can also prohibit plea bargaining of gun-related offences, 80% of which are plea bargained away or given minimal sentences.

That is a serious flaw in Ontario in terms of controlling guns, in terms of prevention and enforcement, and that is that the people who are charged with gun offences are basically not having to face any sanction for these. They are plea bargained away in connection with other crimes, such as burglary, robbery, you name it; and when they are given sentences, they're given minimal sentences. That is not acceptable to the people of Ontario at this time. The government can also enforce zero tolerance in our schools with respect to weapons.

Very simply, we're asking the members of the Legislature today to approve this bill in principle. There are changes that can be made. There are submissions that we want to hear from different groups. But hopefully we can take some action and this bill can be enacted before the end of this session in June.

I want to make reference to one of the objectors. Last night I received a fax from the Ontario Federation of Anglers and Hunters and I'll just read very briefly from that:

"Provisions must be made to allow target shooters, legal handgun shooters, and those who use firearms to control predators and nuisance animals, to purchase ammunition without an Outdoors Card or FAC. At a minimum, a restricted weapons permit issued by the chief provincial firearms office must also be accepted documentation."

We certainly would welcome the Ontario Federation of Anglers and Hunters to come to the justice committee. We certainly would look to making changes that hopefully could accommodate their concerns. Indeed, they're offering to come to the committee and to work with all parties in the Legislature to come up with a better means of prevention and enforcement of gun offences. That group is particularly concerned with the large number of weapons which are imported from the United States. That is an area which has to be dealt with by the federal government.

In conclusion, I want again to refer to the letter Colleen Fraser wrote to me on April 8. She says, "Please respond to my concerns with something other than a form letter." I'm asking all members of this Legislature to please respond with action. We can always find reasons not to do something. We have all the reasons in the world now to do something collectively and in a non-partisan way. So I urge you to please vote for this and refer it to the standing committee on administration of justice.



**Mr Robert W. Runciman (Leeds-Grenville):** I will be supporting the bill on second reading in principle. The bill is clearly hastily put together. We just received a copy of it this weekend. There are significant flaws and concerns and implications, jurisdictional and otherwise, but we do support the principle and believe it's something that should be considered through a standing committee of the Legislature.

I am bothered by what's happening here in respect to the Liberal Party of Ontario. They're coming to this whole issue rather late in the day when some very terrible things have happened, in Toronto, in Ottawa and in other parts of Ontario.

Our party, the Mike Harris Ontario Conservative Party, has been dealing with these issues for a significant period of time. I can recall when we established a task force to take a look at law and order issues in the province that we were ridiculed by the Liberal members in this Legislature. They said we were rednecks, we were scare-mongering. We took the time to travel the province for over nine months listening to people, listening to everyday Ontarians, listening to crown attorneys, listening to lawyers, listening to police officers.

We developed a document. We're the only party in this province that has a significant document dealing with the concerns of Ontarians in respect to justice issues, A Blueprint for Justice and Community Safety in Ontario. I would urge the public, anyone viewing, to call our office, 1-800-665-MIKE, and we'll be pleased to provide Ontarians with a copy of this document. It's a very fine document with a lot of work put into it.

#### *Interjections.*

**Mr Runciman:** Again members of the other two parties are treating this as a joke, and that's the way they've dealt with this whole justice issue for the past number of years. It's a bit of a joke, a sad one, that the Liberal Party is trying to capitalize on some very terrible incidents in this province. I want to remind our viewers, if no one else, of their track record of five years in office. I just want to remind people of some of the matters that came to a head during the Liberal years in office.

The SIU, the special investigations unit, was the creation of the Liberal government. We know of all the difficulties the SIU has created for police officers in this province: the hiring policies of the SIU; its going after police officers—that seems to be its sole mandate—in areas where there clearly is no justification. We've even seen the NDP use preferred indictments, but this is quite comparable to the Liberals in the creation of the SIU in going after police officers.

Susan Eng, who is the current chair of the Metropolitan Toronto Police Services Board, a Liberal appointee, certainly has not been a friend of police officers or policemen and policewomen and has been consistently attacking police forces and police officers in Metro Toronto. She has had a vendetta against Chief Bill McCormack, has wanted to get McCormack out of the Metro board. She's been rather quiet for the last year or so because she realizes the public is not supportive and perhaps she has some electoral ambitions of her own, I don't know.

Ian Scott, who was the Liberal Attorney General: I can recall an incident where drug dealers were convicted by a court in Toronto and were turned right back out on to the streets. Two Metro detectives who had spent months trying to get these people into court and convict them were furious with the judge and the courts that put these people right back out on the streets to deal drugs and impact upon young people in our communities. They expressed their frustration with that judge and with the court system.

1120

What was the reaction of the Liberal Attorney General? He got up and vented his spleen against the police officers. He said he was going to have those officers reprimanded, even dismissed, if they dared to criticize the justice system that was putting drug dealers back out on to the street after they had spent months and months trying to get convictions and rid us of that vermin. That's what Ian Scott, the Liberal Attorney General, said on that day. I recall it vividly.

Police concerns: I have a quote from 1989, during the Liberal years in office. A police officer phoned my office and told us that in his 31 years as an officer, he had never seen police morale "as bad as it is today." He said: "There's no leadership in the Ontario government. There's no one to back us up." That was a Liberal government.

I could go on about a host of areas; one quick one where Wade Lawson was shot by Peel Regional Police driving a stolen car attempting to run down those officers. Two Liberal cabinet ministers attended that funeral. Not during the Liberal tenure did one minister ever get up to express condolences over an officer shot or wounded on the job, but they went to the funeral of a man who was driving a stolen car and attempted to drive down police officers. That's the kind of support police got in this province from the Liberals.

**Mr David Wininger (London South):** I know that the constituents in my riding and right across Ontario were clearly horrified by the senseless drive-by shooting of Nicholas Battersby in Ottawa that the member for Ottawa West referred to. I know they were also horrified when felons burst into the Just Desserts restaurant in Toronto and turned it into a killing field.

I was personally concerned because not too long ago my younger sister, when she was an art student, was a waitress at Just Desserts. I'm sure she was equally shocked to hear that a quiet, tranquil place where people go to consume cake and cappuccino was suddenly turned into a killing field in a very mindless and senseless way.

So who could possibly oppose greater restriction of the sale of ammunition? I certainly can't. Most people I know couldn't oppose further restriction of ammunition sales. However, we do have to be mindful, and I think that the member for Ottawa West is mindful, that there are some constitutional challenges here.

We have, under the Criminal Code, provisions that deal with the sale of ammunition. Section 110 allows for reasonable conditions to be placed on ammunition permits. Section 94 prohibits the sale of ammunition to

people of unsound mind, to people who appear to be influenced by alcohol or drugs or to people who are prohibited by the courts from possession of ammunition.

Under the regulations to the Explosives Act, dealers of ammunition are not permitted to sell to people under the age of 16 unless they have special permits for sustenance hunting; that is, hunting as a way of life.

We know there are problems when the province attempts to trench on federal jurisdiction. It's unfortunate that Bill C-17, rushed through by the former federal Conservative government, did not contain any amendments to the requirements for sale of ammunition. That would certainly have been laudable. We have to continue to urge our federal counterpart to change the law to restrict the sale of ammunition. It seems absurd to me that you require a firearms acquisition certificate to acquire a firearm, but you don't need an FAC to acquire ammunition.

Presently, the province does issue firearms ammunition permits to dealers, who are obliged to follow regulations that deal with safe storage, keeping sporting ammunition out of the hands of young people, and certainly there's customarily a criminal record search before those ammunition permits are distributed.

This bill does not deal with some of the concerns of the federation of anglers and hunters. How do we deal with farmers? How do we deal with target shooters? How do we deal, for example, with native people who the Supreme Court, in the Sparrow decision, indicated have a right to hunt and fish in their traditional areas? We need to address that as well. So there are a number of problems that need to be addressed with this bill.

As my time is short, I just want to deal with one other issue raised by the member for Ottawa West. That is the issue of mandatory imprisonment for use of a firearm during a crime under section 85 of the Criminal Code. I would alert the House and the people who watch the proceedings in this House to the fact that the crown law policy manual gives clear direction regarding the treatment of section 85 offences by prosecutors.

In all cases involving the use of a weapon or firearm, crown counsel are obliged to point out to the court that such involvement is an aggravating factor relevant to the issue of sentencing and should be reflected in a harsher sentence. In terms of plea bargains, the crown policy manual says that these plea bargains should not be the subject when section 85 is concerned.

**Mr Tim Murphy (St George-St David):** I very much appreciate the opportunity to speak in favour of this bill. I agree with the member for Ottawa West that this is not a cure-all, it's not a major step, but it is I think an important step in helping reduce access to guns, which I think are the primary unfortunate player in violent crime in our communities.

I represent a community where concern and fear about violent crime is a daily unfortunate fact. I think of the people I represent in Regent Park, where last year there were seven shootings in seven weeks. Much of that, according to the police, is related to the drug trade and we need to do something about drug trafficking as well.

That kind of criminal activity on a consistent basis can do nothing but raise fears.

It's not isolated there. In the St Lawrence neighbourhood recently, there were unfortunately two violent incidents within a short period of time which have caused a lot of concern there. The members in Corktown and people involved in SOBRA, the Seaton Ontario Berkeley Residents' Association, the Carleton and Jarvis area, St James Town, Cabbagetown, areas all across the riding I'm proud to represent have a fear about what's happening in terms of crime.

I think this is an example of where we can say we're doing something. We are saying that we can do a little bit to reduce the amount of violent crime and the access to guns and, importantly, ammunition that is out there now, because we see that in the streets.

There are other initiatives we can support. Community policing and foot patrols: 51 Division has had a 33% cut in its foot patrol, which is clearly the most effective way to police the downtown community. It's a shock to me. I'm told that part of the reason there's been a cut in community policing in my riding is because of the social contract. It's unfortunate that an essential service like policing was not taken out of the social contract.

I think actually there's a good example of why we should support something like this ammunition bill. I have in the members' gallery Tanya Whiteside, who is my MPP for a day.

*Applause.*

**Mr Murphy:** Yes, by all means; please applaud her.

She was shocked to find out that she could walk into any store and buy ammunition. I wanted to pass that message on to the legislators here and hope that will encourage them to support this.

1130

The member for London South expressed concern about constitutionality. I think there is clearly an overlapping jurisdiction here, but I have canvassed constitutional law lawyers on this issue who have indicated to me that there is a provincial jurisdiction and that there is room for provincial action in this area.

I see the member for Durham East shaking his head. I assume that means he disagrees with me, but it's so rare a thing, I'm shocked to see it. I'm sure the member for Durham East will show me his constitutional law degree in support of his conclusion. But I'm not a constitutional law lawyer and won't claim to be.

**Interjection:** You're an expert at everything, Gord.

**Mr Murphy:** Yes, the member for Durham East is an expert in most things, but I have talked to constitutional law lawyers and they indicate to me there is room for provincial action.

I want to say at this time that obviously we are debating this now to a certain degree because of that sense of random violence that has been connected to the unfortunate shooting in Ottawa and the unfortunate shooting in Toronto at the Just Desserts café. But while those focus much of public attention, it's not the only circumstance where those kinds of criminal shootings and



criminal activities have occurred. There are many other circumstances which are continuing on a daily basis. As I think I indicated in the House the other day, between July and December 1993, 51 Division had 460 weapons offences. That's a shocking statistic to me, one which I think we need to do something about.

Finally, in the few seconds left to me, I want to repeat a message that I've mentioned before, that it's important that we as legislators understand that what we are trying to do is make communities safe for everyone. I think that, for example, in the last few weeks being a black youth in Toronto is a very difficult thing because of the way in which the issue played out. I want to express my sympathy, of course, to the family of Georgina Leimonis, but I think also that we have to ensure we don't add to the tension that's created, but that we say we're trying to make the city safe for everyone in it. I hope the government members and the Conservative members, including the always temperate member for Leeds-Grenville, will vote in favour of it.

I thank you for the opportunity to participate.

**Mr Leo Jordan (Lanark-Renfrew):** It's a privilege for me this morning to have the opportunity to say a few words on second reading of Bill 151.

I think every member of this Legislature will agree that we must find a way to stem the illegal trade of weapons and ammunition. A concerted effort must be made to prevent violent crimes and so provide safe streets and communities for the citizens of Ontario once again.

Under the leadership of Mike Harris, the Conservative Party has developed a comprehensive strategy to address the issue of crime and safety. Earlier this year, our party released a third edition of *New Directions* covering crime, justice and community safety. We are not doing something at the last minute on this subject. As my colleague from Leeds pointed out, we have been working with this task force going across the province of Ontario for almost a year and we have now compiled what I would suggest every member should read, volume three of our *New Directions* covering this subject.

In this policy book, we put before the people recommendations that will reduce crime, restore the rights of victims and make our streets safe. In our town hall meetings across the province, we listened to the people and we acted upon their advice. The people of Ontario told us that one of the best ways to reduce crime is through greater community involvement. This means giving the community an active stake in making their neighbourhoods safe. It is through community participation that we can find real solutions to the real problems of violent crime and the fear it generates.

Through this initiative, members of the community voluntarily buy into the notion of reducing the number of guns on our streets. This is the kind of initiative that will work.

This bill, however, does nothing to target the illegal weapons and ammunition trade. By making it illegal to purchase ammunition without an Outdoors Card, we will be bolstering the underground arms business. Those who have legitimate uses for ammunition will be forced to

look to the underground market.

By trying to capture some headlines, the Liberal Party has sensationalized a serious issue and put forward a bill that is ineffective and ill-inspired. I wonder if the member for Renfrew North thought he was truly representing his constituents when he stood in this Legislature and railed against the freedom to purchase ammunition.

To force sporting gun users to acquire an Outdoors Card when they do not want to hunt is a ridiculous proposition. I have a letter here, that's been circulated, from the Ontario Federation of Anglers and Hunters:

"This bill, as drafted, will further restrict the legal law-abiding firearms owner but does little to address the illegal trade and traffic in firearms from the United States. Many federation members and other firearm owners do not possess either of these documents, yet remain law-abiding, safe firearm owners and users. Provisions must be made to allow target shooters, legal handgun shooters and those who use firearms to control predators and nuisance animals to purchase ammunition without an Outdoors Card or an FAC. At a minimum, a restricted weapons permit issued by the chief provincial firearms office must also be accepted as documentation."

I have many other reports here that I would like to read in, but the time is going by and I have other members who would like to speak on this.

In closing, I want to point out to the member introducing this bill that this is not a provincial jurisdiction. Violations in the purchase of ammunition are federal offenses. It would be an offence for the provincial government to set the fines which are in this legislation. We do not, as a provincial government, have the right to set these fines. It's a federal jurisdiction.

**Mr Gordon Mills (Durham East):** I am very pleased to be able to stand in my place this morning and speak to the bill of my colleague across the floor.

I find it absolutely regrettable and repulsive that the member for Leeds-Grenville would interject and introduce some wild, partisan, neo-right-wing, Harris police state philosophy to the discussion here this morning.

We are here, I believe, as legislators—and it crosses all party lines—to do the best that we possibly can to reduce the crime, to reduce the tragedies that happen across this wonderful province of Ontario. For someone to get up and make some sort of political statement is absolutely—and I use this often, but it really fits today—diabolical, to introduce that statement.

If we talk about the Mike Harris strategy of dealing with crime with his crime force, I just would like to look at the statistics in the United States. They have built more prisons in an effort to contain their crime. It doesn't work. The crime in the United States, the number of killings with guns, is absolutely out of control and they have not contained this one little bit, although they insist on building more prisons and more facilities to lock people up from society. It doesn't work.

As to this meanness of the Conservative Party that they're going around the province with, I remind them that in the Thatcher era in England it produced the Thatcher children, and that's a legacy the English people

are dealing with today in so far as thugs, crimes, criminals are concerned. It's all a social problem brought about in England by Thatcher.

Let's turn to the other neo-right-wing group they're trying to copy, the Reagan administration. We all saw what happened in the United States with the social programs, the cutting of the welfare and all those things. This is also a social issue, dealing with this crime. We saw on television the riots in Los Angeles, and heaven forbid if Ontario is heading into that way of thinking.

1140

To get back to the bill which my colleague has issued, I'd just like to point out certain facts that probably we should understand.

First of all, I'd like to say that pursuant to sections 1 and 5 of the Criminal Code of Canada, the permit to sell ammunition is issued by the office of the chief provincial firearms officer, which is under the jurisdiction of the Attorney General. Subsection 110(11) of the Criminal Code allows for reasonable conditions to be placed on ammunition permits, and section 94 of the Criminal Code prohibits the sale of ammunition to a person who is of unsound mind, impaired by alcohol or drugs, or prohibited by the courts from possessing ammunition.

There are no further controls on ammunition sales under the Criminal Code. However, regulations under the federal Explosives Act prohibit the sale of ammunition to a person under the age of 16 unless that person has a permit under section 110(6) of the Criminal Code to possess firearms for the purpose of hunting as a way of life.

The control of the sale of ammunition, therefore, would appear—and I'm not a constitutional lawyer as my colleague from St George-St David suggested; I have a life experience of a lot of things, but that's not one of them—it would appear that the sale of ammunition will be a matter pertaining to criminal law, which falls under the jurisdiction of the federal government.

It would also likewise appear that any legislative action to further control the sale of ammunition has to be taken at the federal level. It's my understanding that a legal opinion is at this time being sought from the constitutional law section to see whether or not the province can pass any legislation at all in this area.

I just want to say that I endorse what the member said. I think we should do everything we can to stop this carnage in Ontario. If we have to get a program where we can get the arms so they can't be stolen, like an amnesty, we should do it. We should do what we can about the ammunition. We should do all we can in our power, and all parties, to make Ontario safe, to make our people safe and to take this frightful situation off the street.

In Canada, in Ontario, tragedies involving handguns continue, and we can't reduce that tragedy overnight, because most of the tragedies that happen are caused by unsafe usage of firearms, and we have statistics to support that.

But believe you me, I stand in my place supportive of any measure that we can do across non-partisan policies

and positions to stop this sort of carnage that's happening in this wonderful province of Ontario that we all live in.

**Mr Steven Offer (Mississauga North):** I would just like to indicate my full support for this particular piece of legislation. It is clear, as has been brought out numerous times, that when these tragedies in our communities occur many times they are as a result of the use of illegal guns, and certainly I support any measure which takes illegal guns off the streets.

But in all cases, the use of those illegal guns is with legally purchased ammunition. This is a piece of legislation which would go miles in terms of making certain that there is a restriction on who can purchase ammunition, and it is clear that the passage of this bill will make our communities safer.

I would implore all members of this Legislature to support this legislation as one which is in the best interests of our communities in making them safer and more secure.

**Mr Allan K. McLean (Simcoe East):** I'm pleased to have a chance to place a few comments on the record about this bill today, An Act to control the Purchase and Sale of Ammunition, which has been brought before us for consideration by the member for Ottawa West. If passed, private member's Bill 151 would restrict the sale of ammunition to only those with a valid Outdoors Card, with the appropriate hunting licence or a valid firearms acquisition certificate.

What about the farmers out there, and the natives who don't have the Outdoors Card? What about the target shooters? What about the biathlon people who are involved in sports? While I support this bill in principle, I have some reservations with regard to the very intent and the purpose of the bill. I believe this bill was introduced as a knee-jerk reaction to the recent murder of a young woman in a Toronto restaurant, the recent drive-by killing of an innocent passerby in Ottawa and the recent slaying of a university student in Hamilton. The call for gun control is being led by the power media in these large urban communities. The responsible, gun-owning residents of small, rural communities are being swept up in the media-generated hype.

In a recent column in the Orillia Packet and Times, Jack Marshall, the former publisher of the Orillia daily newspaper, said, "Guns Are Toronto's Problems, Not Ours." Mr Marshall says: "Typically and predictably the only call the federal justice people are listening to is for more gun control. They are too frightened to contemplate greater penalties against criminals or greater police enforcement. So they go after the guns." Mr Marshall says, "We must send them to prison for long terms...."

In the articles I have read in the newspapers with regard to this bill, Mr Allan Rock, who is the Justice minister, indicates, "No Crime Crisis in Canada." This is the federal Liberal Justice minister saying that crime is not a problem, that society is still safe. Yet his own mother and father are telling him to do something about what they perceive as a less safe society.

The letter of the day in the Toronto Sun says, "The Honourable Allan Rock can enact the handgun prohibi-



ition he favours and follow in the footsteps of Washington, DC, which banned the possession and sale of handguns in 1977." Yet in that very state there's been a 20% increase, and firearm robberies have increased by 96%. To say that to limit the amount of shells and people who can buy them is going to solve the problem will not do it.

**Ms Margaret H. Harrington (Niagara Falls):** Certainly violence and victims of crime are uppermost in everyone's mind today and have been for the last little while. This is a complex issue that we on all sides of the House must work together to address. It affects all of us.

Just last week, the mother of a murder victim spoke to a group of women in my city of Niagara Falls. For many years I have been involved with a feminist group in my city that is concerned about the causes of violence against women. One that they have been working on this past year is the effect of pornography. Certainly, there are a lot of factors contributing to this frightening violence that we are experiencing.

Attitudes of inequality are one of them. While women are unequal they will be victims. That's why such initiatives as employment equity, economic equality and political equality, having more women here in this House, will go towards that end.

Let me state the obvious: Women are victims of violence in our society and the use of guns is largely male. There are no easy answers, there are no quick solutions. Access to guns and ammunition is one avenue to pursue. That is why I will support this bill. We must look at the whole justice system. I am asking for justice for women. Our justice committee, which I sit on in this Legislature, has been working on a report over the last six months or more and some of the recommendations of that report are that victims be more aware of support services, that victims encounter long delays when being awarded compensation, that victims are not notified when offenders are released on parole and that victims do not have adequate counselling for court appearances. I could go on and on.

We must not use, as the Niagara Falls Review has said when speaking about the member for St Catharines, any opportunistic, political gamesmanship. This issue is far too serious. Our society in Ontario has been, and strives to be, a model to the whole world of living together with respect and tolerance. Our society is very precious to us.

1150

I ask all members to look very carefully and to evaluate very carefully every possible solution to this complex problem. I want us to act here in this Legislature in a most responsible way, and I also want us to encourage and address the federal level. We know that they are involved, that we cannot do it alone, but we must do our part and we must lead the way.

One other item I might draw to your attention was in the Niagara Falls Review this past weekend, and it talks about a program called the victim-offender reconciliation program, in which the accused stands not only before a judge but stands before the victim to answer to the crime.

I ask all of us in this House to work together and to

look at all avenues by which to address this very serious concern.

**Mrs Lyn McLeod (Leader of the Opposition):** I believe that the debate in the Legislature this morning on the bill that has been presented is an important debate. It is a part of the efforts of people in this Legislature over recent weeks to address what are very real concerns among people in our cities, people in communities across this province about the increased level of violence and their anxieties about the safety of our communities.

As we have raised these concerns in the Legislature repeatedly over recent weeks, I think we have all agreed that it is extremely important for legislators at all levels of government of all parties to be ready and willing to respond to the kinds of concerns and the kinds of anxieties that people in our communities are feeling.

We have asked the government if it would refer the issues of how we can deal more effectively with safety in our communities, with the safety of our streets, to the standing committee on justice issues so that we can indeed, as thoughtful and concerned legislators, discuss the issues, the many issues that have to be dealt with if we are going to provide that reassurance to people about the safety of our communities.

We would agree that this bill that is before the Legislature this morning is but one step in responding to what is a truly complex problem. But it is essential that we be prepared, clearly prepared, to act and to act in a way which is going to be effective, and that is why we present the bill in the Legislature this morning and that is why we urge the support of all parties for this bill, as one step in responding to those very legitimate concerns and very heightened anxieties that people are feeling right now.

This bill is but one step in dealing with a very complex problem. I was more than a little surprised to come into the House to speak to the bill and hear a member of the third party referring to it as a knee-jerk reaction. I simply don't think it's a knee-jerk reaction to be ready and willing to respond to varied concerns, very real concerns that people have.

Members of the third party are suggesting it's a Band-Aid reaction, and again, no one would pretend, would claim, that this one step is sufficient to address all the concerns that we have about violence and about crime. All of us would agree that it's a complex problem but that, again, we need to be prepared to take specific steps to respond to it.

We present this bill because we have discovered that as we talk about issues of gun control, as we talk about issues of dealing with the Young Offenders Act, there is absolutely no regulation, no restriction in the province of Ontario on who can buy bullets for guns. Under existing legislation, even somebody who is in possession of an illegal gun is able to buy ammunition legally, and that just simply does not make sense.

As we are more and more concerned about the incidence of gun-related crimes, as we recognize that greater gun control has to be one of the responses to the concern about gun-related crime, surely regulating the bullets that go into those guns has to be part of the action that we're

prepared to take. It just does not make sense that people can use store-bought bullets in illegal guns, and this bill will limit the sale of ammunition to people who are legally entitled to own a firearm.

The bill clearly speaks to the ability to regulate this without a great additional bureaucracy, without costs, without difficulty to people who own legal firearms, because it would be possible to buy ammunition, for those who are legally able to own a firearm, by presenting a firearm certificate or an Outdoors Card. So this is relatively easy to implement.

Again I say that obviously the bill alone will not deal with the problem of violent crime, it will not deal with the proliferation of guns on our streets. We recognize that the problem with gun-related crime is indeed illegal weapons, illegal guns, and that there is going to have to be a very active effort to deal with the possession of illegal guns, with the smuggling of guns into the province and into the country. We also know that we're going to have to make a very concerted effort to deal not with just being tougher on crime after it has been committed, but to deal with crime prevention.

The member for Niagara Falls has spoken about a particular concern with increased violence that she brings, and that is violence against women. We share that as one of the concerns we have about increased violence in our communities. We have presented a number of very specific resolutions that we believe would be part of responding to the concern about increased violence against women.

We have urged that there be a regulation on the distribution and sale of killer cards. We have urged that this government take action to deal with the availability of slasher films, which we believe incite violence against women. We urged last week in the Legislature that there be action taken to put in place a central registry for dangerous offenders. We believe this would be one more step in ensuring that our communities and our streets are safer.

We all have to sit down and talk about all the responses that have to be made if we are in fact to do what is necessary to provide for greater safety in our communities.

I am gratified by the fact that the federal government clearly recognizes the urgency of this issue. I had an opportunity yesterday to meet with the federal Justice minister, and he is clearly prepared to take action on the issues of the Young Offenders Act and gun control and, as well, to go beyond that and talk about how at all levels of government we can work to bring about, in an integrated way, a focus on crime prevention, because he recognizes the need for a comprehensive approach. He is also prepared to look at whether or not there is a federal application of the bill which we present before the provincial Legislature today so that in fact it may be possible to regulate the sale of ammunition across the country. We believe that would also be a very positive step forward.

In the meantime, we have before us a piece of legislation which allows us as a provincial Legislature to take a clear and decisive step to assure people that we are

ready to deal with their concerns. I would urge the members of this Legislature to recognize that this is a positive step, to be prepared to support it and to be prepared then to sit down in committee and discuss what more we can do to respond to what has clearly become an increased concern of people in communities across the province of Ontario.

We would urge that there be support for the legislation that's before the House today. We would urge that there be further discussion in committee as to how this legislation can be proceeded with as quickly as possible so that it can be enacted into law. We would urge as well that the government act very quickly on a referral of concerns for violence and for crime and for the safety of our communities to the standing committee on justice issues so that other steps can be considered and can be acted on very quickly.

**The Deputy Speaker (Mr Gilles E. Morin):** The member for Grey-Owen Sound.

**Mr Bill Murdoch (Grey-Owen Sound):** Thank you, Mr Speaker, for the time to speak on this ill-conceived, Band-Aid approach by the Liberals on a very serious concern. This concern is great, I know, but the Liberals just have a Band-Aid approach to it. What they're really doing is hurting the citizens who are honest.

What they're doing is attacking rural Ontario. What they should be doing is getting tough on criminals, not worrying about a Band-Aid approach which won't solve anything. If they think this will stop the criminals from getting bullets, they're really misguided and don't know what they're talking about.

Also, I have a letter from our Tourism critic. "What about from the sports angle? Biathlon athletes who are under 18 years of age may have more difficulty in practising their sport because they won't be able to get bullets." They won't have an Outdoors Card. They won't have a hunting card; they don't hunt.

This is a really ill-conceived bill by the Liberals just to gain some publicity.

**The Deputy Speaker:** There are 19 seconds, member for Durham West.

**Mr Drummond White (Durham Centre):** I rise simply to commend the member opposite for bringing forth this bill and to say that while it is important to bring up this discussion, I am very shocked to hear of the opposition to this issue. It's an important issue regarding violence in our community.

1200

**The Deputy Speaker:** The member for Scarborough North, you have 57 seconds.

**Mr Alvin Curling (Scarborough North):** I want to add my support to this bill. It is of extreme importance. Take away the partisan point of view and talk about a community that needs to be safe for children, for families. As our leader, Lyn McLeod, stated, this is a start. Of course this is not going to resolve all the crime within our community; it's a start. It's extremely important that we lend support to this, and if it is short in some respects, that all members of the House add their support in respect to having a safe community. We are extremely



concerned and we shall not play football with it. We just hope, for the safety of our children, our families, our wives, our husbands, whoever they are, that we proceed with this bill to have a safe community.

**Mr Chiarelli:** I was quite surprised at the response of the member for Leeds-Grenville. It was extremely partisan, and there seemed to be a tenor that the Progressive Conservative Party owns this issue. Well, the people of Canada and the people of Ontario own this issue, and they will be very angry with elected officials who try to make this a partisan issue and take ownership of it.

I respect the Conservative Party for having conducted its task force and for its bill of rights, but people don't want task forces any more, they don't want bills of rights any more. They want governments to act to make our communities safer.

I would encourage the third party, the Conservative Party, to take a more non-partisan tack with this particular bill. Indeed, if the member for Leeds-Grenville wants to put his name in place of mine or Mr Murphy's on the bill, let him be my guest, and we'll go and debate his bill. But action is required.

With respect to the member for Lanark-Renfrew, he talks about illegal import of arms. The association of hunters and anglers talks about the importation of illegal arms. They're absolutely right: The federal government has to take action in these particular areas.

But when they speak of this bill being a knee-jerk reaction, maybe there's a knee-jerk reaction on the other side. When anybody in Ontario wants to go for an X-ray or to visit a doctor, they have to show a card. All we're saying now is if they want to go and buy bullets, which can kill people and be put in illegal guns, we want them to show a card. Perhaps the knee-jerk reaction is the person who doesn't want to try to make our communities safer by identifying themselves and their weapons when they buy bullets.

#### TENANTS ON SOCIAL ASSISTANCE LOCATAIRES SUR L'AIDE SOCIALE

**The Deputy Speaker (Mr Gilles E. Morin):** We will deal first with ballot item number 49, standing in the name of Mr Bisson. If any members are opposed to a vote on this ballot item, will they please rise?

Mr Bisson has moved private member's resolution number 38. Is it the pleasure of the House that the motion carry? Carried.

#### AMMUNITION CONTROL ACT, 1994 LOI DE 1994 SUR LA RÉGLEMENTATION DES MUNITIONS

**The Deputy Speaker (Mr Gilles E. Morin):** We will now deal with ballot item number 50, standing in the name of Mr Chiarelli. If any members are opposed to a vote on this ballot item, will they please rise?

Mr Chiarelli has moved second reading of Bill 151, An Act to control the Purchase and Sale of Ammunition.

Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 94(k), the bill is referred to the committee of the whole House.

**Mr Robert Chiarelli (Ottawa West):** Mr Speaker, I believe a majority of the members wish Bill 151 referred to the standing committee on administration of justice.

**The Deputy Speaker:** The standing committee on justice.

All those in favour will please rise.

All those opposed will please rise.

The majority of the House being in agreement with the request of the member for Ottawa West, this bill stands referred to the standing committee on justice.

All the private members' business issues have been debated. I will now leave the chair and the House will resume at 1:30 this afternoon.

*The House recessed from 1207 to 1330.*

#### MEMBERS' STATEMENTS

##### NORTHERN HEALTH SERVICES

**Mr David Ramsay (Timiskaming):** Tuesday evening I attended a town hall meeting in Sudbury to discuss the crisis in health care in that city and in northeastern Ontario. The main problem seems to be that, while Sudbury is recognized as the health care centre for northeastern Ontario, the government doesn't seem to be willing to put the resources into Sudbury to get the job done.

There are several reasons this is happening. One is that the Ministry of Health is using inaccurate data to make these health care decisions. The ministry insists that Sudbury has 145 full-time, active general practitioners in the district. This would more than meet the established standards, but in actual fact there are only 79 GPs in Sudbury.

The ministry in its list lumps in specialists, full-time emergency doctors, retirees, part-timers, PG trainees and others. I find this incredible, but that is what the ministry has done. Therefore, there are from 8,000 to 12,000 people in the Sudbury region without a family physician.

Not only are waiting lists for doctors growing, but the doctors who are there are burning out and leaving at an alarming rate. Because of the inaccurate data, the ministry will not declare the Sudbury area an underserved area, which would provide incentives for more doctors to locate there.

There is also a shortage of specialists, and that is causing a six- to eight-month waiting time compared to 30 days in southern Ontario. The catch here is that the rules of the health travel program prevent a patient being referred to southern Ontario if there is the appropriate specialist in the north. Therefore, patients in northeastern Ontario are being denied timely access to specialized physicians.

This is a serious problem. It's not only affecting the people in Sudbury but those in all of northeastern Ontario, the 600,000 people who call northern Ontario their home.

#### EARTH DAY

**Mr David Tilson (Dufferin-Peel):** Tomorrow communities across Ontario, Canada and 91 countries around the world will be celebrating Earth Day in their communities. Earth Day has become an opportunity for individuals and businesses to look at what they are doing for the

environment and what steps could be taken to improve the situation.

Businesses normally are pointed at as major abusers of our environment. I am pleased to be able to announce that many of our corporate partners have acted in a proactive way to ensure that Ontarians are given an opportunity to help the environment and save our valuable resources.

The Ontario brewing industry has been committed to reuse since 1927 when it offered customers their first two-four of refillable beer bottles. Through the Beer Store, consumers are returning over 90% of their beverage containers for reuse.

The notable part of these initiatives is that the Ontario brewing industry has made these moves without government legislation or regulation. The people of Ontario have chosen to return their containers because of the cost advantage to do so and because it gives us an opportunity to do something positive for the environment, not because Big Brother will fine us or take away our right to drink beer.

Environmental initiatives such as the one initiated by the Ontario brewing industry work, and work well, because they are initiated by the industry, supported through positive advertising campaigns by the industry and supported by consumers. The old adage of, "You can lead a horse to water but you can't force him to drink," rings true when it comes to the government trying to force society to change in a way it is uncomfortable with.

#### ANNIVERSARY OF D-DAY

**Mr Gordon Mills (Durham East):** I'd like to use my 90 seconds today to speak about the upcoming celebrations to recognize the 50th anniversary of D-Day. On June 6, 1944, the Allied Forces landed on the European mainland in one of the most brilliantly conceived and almost faultlessly executed offensives in the history of modern warfare.

Here in Toronto plans are in the process to recognize D-Day in an unforgettable manner. A parade featuring over 1,500 veterans will march from Nathan Phillips Square to Union Station where the Lieutenant Governor of Ontario, His Honour Hal Jackman, and the Premier of the province of Ontario, the Honourable Bob Rae, will take the salute.

A fly-past of vintage aircraft and a drive-past of vintage military vehicles will also be part of these celebrations. The parade will culminate at Ontario Place at HMCS Haida, followed by a concert in the Forum at Ontario Place.

I urge all veterans watching today to keep Sunday, June 5, 1994, open on their calendar. I also encourage them to come to Toronto and be part of the celebrations. More details of this event will unfold nearer the day, and they will be announced in time to ensure the maximum participation by all.

#### EARTH DAY

**Mr Steven Offer (Mississauga North):** I rise today to commemorate a very important occasion that is going to be taking place not only all this week but especially tomorrow. What I am speaking to is Earth Week, and

tomorrow marks the 24th anniversary of Earth Day, an internationally recognized event which provides all of us with an opportunity to renew our commitment to protecting and preserving the natural environment today and for future generations.

To celebrate Earth Day thousands of people in Ontario will be taking part in a variety of events: tree planting activities, green marches and the cleanup of park areas.

Earth Day, and this Earth Week, is important. It is a time where we rededicate ourselves to the maintenance and improvement of our environment. Community groups, business groups, school children, all will be taking a vibrant and vital part in recognizing Earth Day through a myriad of exciting events.

Earth Day allows us to specifically recognize the importance of our environment but also to remember that our environment requires a commitment not only for one day of the year but indeed for every day of each year. It is a commitment that is shared by all. I would like to congratulate all who are going to be taking part in Earth Day tomorrow and celebrating this Earth Week.

#### OTTAWA-CARLETON LEGISLATION

**Mr David Johnson (Don Mills):** Congratulations to the city of North York for launching the economic development campaign Open for Business. North York understands the need to work with the business community to create a favourable climate for economic growth, jobs and increased assessment.

The borough of East York has encouraged economic development and job creation by eliminating all planning and development charges for industrial and commercial development and renovation. The public demands government that is more efficient but less costly and less bureaucratic.

Therefore, it is with regret that I consider the municipalities of Ottawa-Carleton region, which with the passage of Bill 143 will lose the fundamental right to direct their economic development.

But this is not the only failure of this bill. It will take away local representation from the regional government, including the local mayors, thereby establishing a government structure susceptible to confrontation. It will cause the loss of community-based policing.

Most important, the government has provided no financial analysis or evidence to demonstrate that the new government and the new police structure will save money or use tax dollars more efficiently. Indeed, those who were permitted to speak, before closure silenced all voices, indicated their overwhelming concern that the government cost would escalate.

No pricetag, no answers. Welcome, Ottawa-Carleton, to Bob Rae's Ontario.

#### MEMBERS' HOCKEY GAME

**Mr Mike Cooper (Kitchener-Wilmot):** I rise today with an invitation for all members of this Legislature and all individuals who enjoy hockey and wish to support a worthy cause. Tonight the Ontario Legiskaters will play hockey against the Carpenters Union Local 27, with all proceeds going to the Children's Wish Foundation of Canada.



The Ontario Legiskaters is a non-partisan team that has travelled to various areas in this province to assist in fund-raising events. These games are thoroughly enjoyed by all individuals who attend. It provides communities with an opportunity to meet not only their local MPP but also MPPs from across the province. MPPs are also given the opportunity to travel into their colleagues' ridings.

I encourage all of my colleagues to come out and support a worthy cause and to have fun doing it. I extend this invitation to everyone in the Toronto and surrounding area, the members of the press gallery and individuals of the Legislative Assembly. We look forward to seeing all of you there.

I would like to take the opportunity to thank all of the individuals who have worked so hard to make this event such a success: Maggie Yen from the Carpenters Union Local 27 training centre and Barb Dolan from my office.

Speaker, I encourage you and everyone else to come out and join our fund-raising efforts this evening. We are fortunate that the Maple Leafs played and won last evening so we are not in competition with their game this evening. Rather than spending an evening without hockey, come out and enjoy our game. The game is being played tonight at 7 pm at St Michael's Arena, 1515 Bathurst Street at St Clair Avenue.

Thank you, Speaker. We'll see you at the game.

1340

#### VIOLENCE

**Ms Dianne Poole (Eglinton):** Yesterday in the House of Commons federal Justice minister Allan Rock tabled draft legislation to prohibit the sale and distribution of serial killer trading cards to children under the age of 18 years.

Let me tell you, Mr Speaker, it is a good thing that the federal Liberal government has taken action to protect the women and children of this province, because we certainly can't count on the Ontario government or the Minister of Consumer and Commercial Relations to act on our behalf.

Members are aware that last July, almost one year ago, I introduced a private member's bill to ban the sale of these hideous cards to our children in Ontario. Since that time, the only thing we have heard from Minister Marilyn Churley is excuses as to why she can't take action. She told us she had no jurisdiction to control retail sales. Imagine this coming from a minister who had no authority to regulate casinos but did not hesitate to use that power.

The minister had the power to enact legislation on serial killer trading cards; she just didn't have the will. The minister could have taken jurisdiction, just like her government has done in countless other areas. Instead she chose to opt out of protecting the interests of the children of this province.

The issue of combating violence is too important to get sidetracked by intergovernmental disputes over who has jurisdiction. We must all work together and take responsibility. I urge the minister to take responsibility for combating violence against women and children in this province.

#### VOLUNTEERS

**Mr Chris Hodgson (Victoria-Haliburton):** Last night I had the pleasure of attending a volunteer appreciation dinner at which the Victoria County Association for Community Living and Victoria County Community Care honoured some very special citizens from my riding.

These individuals have demonstrated their commitment to total community citizenship through the many caring tasks they perform for the good of others. Volunteers play a proactive role in assisting people with developmental handicaps, seniors and special-needs clients of all ages to participate fully in community life.

Volunteers from these two associations are responsible for numerous important tasks, including providing companionship to elderly in their homes, a diners' club, one-on-one support, recreation and leisure activities, providing transportation and delivering meals on wheels.

Volunteerism is not a job; it's a commitment. The people I saw being honoured last night do the work they do because they truly enjoy it and each and every one of them is committed to serving others.

In these difficult economic times, and especially with government funding becoming more and more scarce, it is encouraging to see people freely sharing their time, experience and patience with others.

I would also like to recognize the generosity of the Moose Lodge in Lindsay for donating 275 dinners for last night's celebration.

I'm happy to say that compassion and caring for others and community pride are all alive and well in the riding of Victoria-Haliburton.

#### HIGHWAY SAFETY

**Mr Donald Abel (Wentworth North):** I rise today to speak about taming a killer. I am referring to the infamous killer highway, the stretch of Highway 6 between Highways 403 and 401. Since 1989, as a result of over 200 accidents, at least 21 people have died and dozens more have been injured in the 24-kilometre stretch of highway each year. During that five-year span, all 21 fatalities were caused by human error. Of course, speeding was the number one cause.

In the very near future photo-radar will become a reality on Ontario's 400-series highways. The project is designed to save lives, reduce injuries and cut the cost of collisions each year in this province. It has been proven to reduce speeding and fatalities in other jurisdictions around the world. In Australia, for example, fatalities had been reduced by 30% three years after the technology was introduced.

In an attempt to tame the killer, I ask the Minister of Transportation to consider extending the use of photo-radar to the deadly stretch of highway on Highway 6. The killer highway has carved its notoriety with a heavy hand. We have the tools to reduce the number of accidents and deaths. We have to act responsibly.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### HEALTH ECONOMIC DEVELOPMENT WEEK

**Hon Ruth Grier (Minister of Health):** Today I'd like to tell the House about our second annual Health

Economic Development Week, which began on Monday. This is the week we spotlight one of the most promising sectors of the Ontario economy, our health industry sector, a sector that employs 40,000 Ontarians who manufacture and provide health care products and services.

The timing for Health Economic Development Week couldn't be better, because just last month the health industry's advisory committee submitted to me a sector development strategy. This strategy, called *Healthy and Wealthy: A Growth Prescription for Ontario's Health Industries*, outlines a plan for economic growth and job creation. I'm impressed with the strategy's forward-looking and creative attitude towards economic development and I can tell the House that my enthusiasm is shared by my cabinet colleagues.

That's why I'm happy to tell you today—and, I might add, in record time—that the government will be proceeding with many of the committee's recommendations. Growth and job creation in the health industries sector is a high priority for this government, and I will soon have other announcements to make on the specific details for implementing the advisory committee's strategy.

The members of the advisory committee contributed a great deal of time and effort to develop the health industries strategy. It's a joint effort of four industries: pharmaceutical, medical devices, biotechnology and private health services. In addition, labour, medical researchers, health care providers and health care consumers are on the committee.

I'd like to introduce to the House some of the members of the advisory committee who are here in the gallery today and allow members to thank them for their hard work.

Bill Blundell chaired the committee and is the former CEO and chairman of General Electric Canada and currently the chair of the Wellesley Hospital. Glenn Buchanan, national representative of the Communications, Energy and Paperworkers Union of Canada, represented labour. Gerry Turner of Mount Sinai Hospital, Ed Rygiel of MDS and Hans Kunov of the University of Toronto are also members of the committee. I'm sure members would want to acknowledge the work they've done for the province.

*Applause.*

**Hon Mrs Grier:** The advisory committee has many innovative initiatives. These include plans to increase Ontario exports. The global market for health sector products and services will be more than \$500 million—\$500 billion; I get my letters wrong—by the end of the decade. Ontario's share of this market is much too small and explains why Canada has a trade deficit in health products of more than \$2 billion. We need and can do better and, as the report points out, there is no reason why we can't.

The companies that are taking part in Health Economic Development Week range in size from 25 employees to 5,900. To help kick off the week, on Monday I visited the headquarters of MDS Health Group Ltd. At MDS I untied a ribbon to celebrate its 25th anniversary. MDS is not only an exporter of medical supplies to more than

100 countries; it's also an important provider of venture capital to new companies and new technologies. And MDS employs 5,900 people.

I also visited Livingston Healthcare Services, where I saw an important new paperless system for reducing hospital inventory costs.

Tomorrow I'll be at three more companies: Astra Pharma, a growing brand-name pharmaceutical company; Unitron Industries of Kitchener, a hearing aid manufacturer; and Resource Management Consultants, a company with 25 years of experience in health strategy and facilities planning around the world. The health industries strategy addresses the needs of every size and type of company at every stage of development.

Our government is the first to recognize the importance of health industries to the health care system. The health industries sector contributes to the health of Ontarians by providing high-value-added jobs to our people.

A recent study found that physical and psychological stress associated with unemployment costs Canada \$1 billion a year in extra health care costs. It's clear that our physical wellbeing depends on our economic and social wellbeing, and that's why job creation is a health issue as well as an economic development issue.

As the advisory committee's report says, "We must succeed in this endeavour because a society that fails to create good jobs for its people is not a healthy place to live." I hope that by raising public awareness of the importance of health industries, Health Economic Development Week will be a step towards building a healthier Ontario.

1350

**The Deputy Speaker (Mr Gilles E. Morin):** Responses?

**Mrs Barbara Sullivan (Halton Centre):** Frankly, we had expected today an announcement with respect to the governance of the ambulance system, long-term care, capital infusion into the cancer system, dialysis infusion or perhaps even the emergency on-call situations that are faced in many communities across Ontario.

We have, however, a positive announcement with respect to Health Economic Development Week. I believe the advisory committee report was in fact well received. It certainly recognized that the underwriting of the manufacture of bedpans was not the way to go in terms of developing the health economic contribution to the general economy of Ontario.

The report also recognized that in this province we have the technological expertise and the technological development base to serve not only Ontarians and other Canadians but, as well, people in other jurisdictions and in fact be a tool for export development. We know there is a high value added in the health care sector that's significant in our own economy, and it's clear that value added can be substantially increased.

This announcement celebrates the naming of a week, but unfortunately we see no other indication of government action associated with the health economic recommendations that were placed by the committee. I suggest to the minister that she could look at the Orders and



Notices paper, at resolution 37, where I have called for the creation of an Ontario health research council as a crown agency that could coordinate health research and development activities in Ontario and lever public- and private-sector-coordinated dollars not only to do the clinical, basic and biomedical research but also to create an option for development that could move our products more quickly into an international market.

I ask the minister why there isn't a particular policy from the Ministry of Health whereby new developing technologies that are coming out of Ontario operations are given preference for capital purchase in, for example, our hospitals. It's very difficult, if one has developed a major new technology or device, to market that project to the Mayo if you can't even sell it to the Sunnybrook hospital or to the Toronto Hospital. That has to be a significant factor in the development of our economic health policies.

I also suggest to the minister that there are deep concerns in the pharmaceutical industry, among manufacturers, with respect to the government's approach to that sector. Many have indeed suggested that the government should have a look at the Australian initiatives which recognize the economic contribution to society as well as the development of the pharmaceutical products. That suggestion has been put forward, I know, to people in the ministry on more than one occasion. They also refer not only to the Australian initiatives but to the Quebec initiatives, and virtually every pharmaceutical manufacturer located in Ontario will tell me they don't feel awfully welcome here, particularly with this government, but they do feel awfully welcome in Quebec.

I also suggest that while the minister has recognized and visited MDS Health Group over the last couple of days, just to use one example, the recognition of that particular company's involvement in health innovation through venture capital funds is one to be admired and encouraged. Not only MDS, but other groups that have placed investment in biomedical research and technological development have added more to capital and economic development in the health care sector than this government itself has. The government should perhaps look at where and how it can assist the private sector, which is already taking extremely strong stands, to indeed increase those stands.

To encourage investment here, we must have consistent policies that show that Ontario welcomes the investment and will create the environment and the atmosphere for that investment to take place. We have seen over the past period of time with this government threats against the private sector's involvement in health care, from the home care to laboratory services to ambulance services to the nursing home sector, and frankly those examples turn business off rather than welcome it.

**Mr Jim Wilson (Simcoe West):** I'm pleased to spend a few minutes to respond to the minister's announcement.

I think we're seeing, and all members of the House should be aware that we're seeing, the great conversion on the road to Damascus. We have a government that has done everything it can to drive the private sector out of the delivery and development of health care in this

province, everything it possibly could in its three and a half years in office. If you take the home care and the long-term care sector, they've stated time and time again their preference for the not-for-profit sector.

If they had their way—we know they did a study, but they found out it cost too much money, that they couldn't buy out the capital stock of nursing homes. Unfortunately for them and their ideology, they had to abandon that. Fortunately for the people of Ontario, we continue to have a choice in our long-term care sector, and when a Mike Harris government gets in, we're going to restore the balance between the private sector and the not-for-profit sector in this province.

We look at the pharmaceutical sector, and the minister, on her conversion road here today, finally talks about visiting some pharmaceutical manufacturers. Well, my party has visited with health officials in the province of Quebec. We've learned from them why they've been so successful in taking jobs from Ontario and in attracting jobs from around the world for the pharmaceutical industry.

Do you know what they did? There wasn't money exchanged. It was simply that the pharmaceutical industry asked the Quebec government for an understanding that health care must become part of the economic engine that drives the economy, and the Quebec government said: "Yes, we'll do that. And you know what we'll do for you so you'll have comfort and stability in locating and creating jobs in our province?" They said they would not pass any legislation or regulations or more red tape until they threw it by the pharmaceutical industry and asked how it impacted on their industry.

So today, in the honourable Russ Williams's riding around the city of Montreal, we have the development and the encouragement of the pharmaceutical manufacturing companies in this country. Ontario's got to get on the bandwagon with that and actually start dealing with economic development.

The minister heard me on Saturday talk about a new vision for hospitals, that rather than running around talking about closing hospitals, we should have a new vision for hospitals in this province. She heard me say it at the Catholic Health Association of Ontario. I've been saying it for three years. Hospitals shouldn't be closed: We should be taking that empty space, using the infrastructure that's in place and making complete health care centres out of those institutions, welcoming into those institutions independent health care facilities for dialysis, welcoming chiropractors and doctors to take up offices in those institutions; to pay rent and overhead to the hospital boards so we can keep those beds open.

This government has done everything to demoralize pharmacies and pharmacists in this province. Their smoking legislation will lead to bankruptcies, and soon, rather than developing health care in this province, they're going to find themselves in court with the pharmacies in this province.

The NDP ideology, when it brought out the Swimmer report, wanted to take over the ambulance sector in this province. If they had their way and if they had the money—and thank God they don't have the money in

this case—they'd have taken over the private sector ambulance operators in this province.

I do want to thank the members of the health industry's advisory committee. I want to thank them for the work, and I have one message for them today: Stay alive till 1995, when a government that understands business and economic development in this province is elected and able to implement your very good recommendations in this report.

The minister mentions that she went out on Monday to MDS. Mike Harris and I were at MDS last year, the year before, and we were there again this year. We understand what companies like MDS want in this province, and we understand that this government has been nothing but a barrier to creating jobs in the health care field.

1400

Our caucus has spoken to and had presentations from Dr Fraser Mustard, and if there's one lesson that all of us need to understand in this Legislature, it's that the best thing you can do for the health care of the people of this province is to give people the opportunity for employment in this province. Jobs are the best thing we could do. After three and a half years of doing everything they can to destroy jobs in this province, the minister finally recognizes that unemployment creates stress and that it has an effect on our health care budgets. It more than creates stress; it robs individuals of the only dignity a government should be trying to provide: the dignity that comes with a job.

Yes, Minister, health care should be an economic engine that drives this province. It should be part of your economic development strategy. You've got to get together with the Minister of Economic Development and Trade to create that strategy and respond to the recommendations in this report. You'd better do that, Minister, or more people are going to lose their jobs and more Ontarians are going to move south of the border.

**Hon Elaine Ziemba (Minister of Citizenship):** I believe there's unanimous agreement to make a statement on the occasion of the Order of Ontario investiture.

**The Deputy Speaker:** Is there unanimous consent? Agreed.

#### ORDER OF ONTARIO

**Hon Elaine Ziemba (Minister of Citizenship):** The Order of Ontario is the highest and most prestigious award this province gives to its citizens. It recognizes people who have demonstrated excellence and achievement of the highest degree in any field of endeavour and whose contributions have enriched the lives of others and the betterment of their communities.

Last night, in an impressive and emotional ceremony, His Honour the Lieutenant Governor invested 16 outstanding Ontarians to the order this year. They were chosen from approximately 120 nominations by an advisory council comprising Mr Speaker Warner and the secretary of cabinet and clerk of the executive council, David Agnew. The advisory council is chaired by the Honourable Charles Dubin, the Chief Justice of Ontario.

It is with great pleasure that I read the names of the new inductees into the record. They are:

—Dr Prasanta Kumar Basu of Unionville, for his achievements in ophthalmic research at the University of Toronto, establishing Canada's first eye bank, and writing Bengali literature.

—Lorna de Blicquy of Dunrobin, for pioneering and significantly advancing the rights of women in the field of aviation.

—M. Joan Chalmers of Toronto, for supporting and bringing greater recognition to culture in Ontario, particularly crafts and the performing and fine arts.

—Martin Connell of Toronto, for his work as a businessman and philanthropist in Canada and developing countries.

—Elsie Cressman of Kitchener, for being a pioneer in midwifery in Canada and overseas, and for founding the St Jacob's Family Birthing Home.

—Selma Edystone of Toronto, for launching Interlink, a program that brings seniors and children together through words and music.

—Nicolas Goldschmidt of Toronto, for his achievements as a conductor, singer, teacher, pianist, administrator and musical entrepreneur.

—J. Conrad Lavigne of Timmins, for creating the Mid-Canada Television System and introducing French-language broadcasting to Ontario.

—Donald C. MacDonald of Toronto, for his 27 years as an MPP and building and leading the CCF and New Democratic parties into strong political entities.

—Ed Mirvish of Toronto, for extraordinary charitable contributions and entrepreneurial achievements in business and the entertainment industry.

—Phillip Nimmons of Thornhill, for being a leader in the Canadian jazz scene for more than 40 years and for being an inspiration to young musicians.

—K. George Pedersen of London, for an outstanding career as an educator and university administrator.

—Ronald Satok of Toronto, for founding the Satok School of the Arts, which enhances the lives of artists with disabilities and helps to bring public attention to their work.

—Dr Nelles Silverthorne of Toronto, for being a pioneer in preventive medicine and developing the first whooping cough vaccine and treatment for meningitis.

—Elizabeth Thorn of North Bay, for achievements as an educator at schools in northern Ontario, particularly native schools and the University of Nipissing.

—Dr Bryan Walls of Windsor, for his contributions to increasing public awareness of black Canadian history in Ontario.

Three other inductees, Martha Henry, Flora MacDonald and Ted Nolan, were unable to attend last night's ceremony and will be invested in the order at a later date.

On behalf of the government of Ontario, I certainly wish to offer my congratulations and sincere thanks to all the recipients for their contribution to Ontario society, ever building the fabric that makes up this wonderful province of ours.

**Mr Tim Murphy (St George-St David):** I'd like to



join with the minister on behalf of the Liberal caucus and my leader, Lyn McLeod, in congratulating the 16 wonderful Ontarians who were given the Order of Ontario last night.

I had the privilege and honour of attending the ceremony. It was a wonderful, moving experience. We were sitting down on the main floor looking up on the stairs as the people received their order. We were looking up at them, frankly, in all ways.

It's an incredible litany of accomplishment these 16 people have made to our province, and that set of accomplishments, rather than diminishing us in comparison, ennobles all of us and charges us with the responsibility of doing our job better.

I remember former Premier Bill Davis used to talk about politics as the art of the possible. In some ways, these 16 people have shown us the art of the impossible. It's an incredible set of things these people have done.

I don't want to single anyone out, but I will talk about three in particular as examples because they, I am proud to say, are constituents of the great riding of St George-St David. I wish the fact that three of them are from my riding reflected on the quality of the member, but I think they reflect instead on the quality of the people in the riding and in the province. I particularly want to note Joan Chalmers, Martin Connell and Ronald Satok just as examples of the kind of people we are honouring.

Joan Chalmers was a founding director of Harbourfront, founder of two Chalmers buildings, in fact, founder of numerous crafts councils, the Glenn Gould Foundation, Young People's Theatre and many others too numerous to mention.

Martin Connell, many people will know, president of Conwest, is also the founder of Calmeadow, which provides low-interest loans to aboriginal peoples, the Imagine campaign in the Canadian Centre for Philanthropy, a founding director of the Festival of Festivals, and is currently president of a program providing low-interest loans to Latin Americans.

Finally, Ronald Satok is an artist who in the middle of his life lost his eyesight, unfortunately, but used that to create an opportunity to start a school of art for people with disabilities and has had a tremendous career in doing so and has been a model for people.

These are but three of the 16 we honoured who have made a contribution to the life of this province that calls us to do a better job in this House, and I for one would say two words to them. Thank you very much.

**Mr Michael D. Harris (Nipissing):** I too am pleased to rise and join with the minister in the great celebration that takes place on an annual basis with the Order of Ontario awards. We single out excellence. We single out the best in giving to community, to neighbourhood, to province, the volunteerism of those who go beyond themselves and their families and immediacy to so many others.

I wanted particularly to have been there last night. Unfortunately, those in the Legislature know I was called home to a funeral yesterday in North Bay and had to cancel being at the ceremony last night.

Nothing epitomizes more what we want to celebrate than the individuals who were honoured on an annual basis and those who were honoured last night. Again, it's difficult to single out individuals, but it's hard for me not to mention a couple who have been friends over the years.

Certainly Conrad Lavigne, who has done so much throughout northeastern Ontario in broadcasting, is mentioned as a pioneer in French-language broadcasting. He was a pioneer in broadcasting in general, in bringing northeastern Ontario up to date, if you like, in television and in the media in both languages, with particular emphasis in the French language.

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It's also hard for me not to mention Flora MacDonald, who blazed so many trails for so many politicians to follow, both women and men, probably, I think all would agree, in a spirit of non-partisanship that even today we can only envy of her and her time in politics.

I would be remiss, of course, if I didn't mention Elizabeth Thorn, who is acknowledged, I saw in one of the write-ups, in northern Ontario for the impact she has had in education. But indeed Elizabeth Thorn is far better known around the world than she is in North Bay, than she is in northern Ontario. She is far better known by academics, where she is constantly invited to speak and to lecture all over the world. In fact, she is one of those living examples where she is appreciated for her excellence and leadership around the world perhaps even more than at home, and is of particular interest to me because she happened to be one of my teachers a few years ago—maybe it's a good thing she isn't here because this dates her a tad—when I was in teachers' college. She was at the leading edge at that time as publisher, author and lecturer on early childhood education, particularly in the language arts.

On behalf of my caucus, but indeed—this is one of those non-partisan moments—on behalf of all Ontarians, let me offer congratulations to those awarded the Order of Ontario last night.

#### LEGISLATIVE PAGES

**The Deputy Speaker (Mr Gilles E. Morin):** I would like to announce to the House that this is the last day our young pages are spending with us. They have been a dedicated crew. They've worked extremely hard, always with a beautiful smile. We are sorry to see you go, but we wish you all the best. Make sure that you study hard.

Join with me in giving them a warm round of applause.

*Applause.*

**The Deputy Speaker:** I would also like to thank you for your excellent cooperation yesterday in keeping your questions short and to the point, and your responses brief. Let's keep it up that way.

#### ORAL QUESTIONS

##### JOBS ONTARIO TRAINING

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is to the Minister of Education and Training. Minister, once again there is new evidence that your \$1-billion Jobs Ontario Training program is not working.

I know that you are probably concerned about the investigation of Jobs Ontario Training that W5 will be presenting tonight, but I want to talk to you today about a recent report at Metro council which showed that the program in Metropolitan Toronto has reached less than 30% of its target in finding jobs for unemployed men and women. In Metro Toronto, only 5,700 people have been placed in jobs and, Minister, this is clearly well short of the goal of 20,000 placements that you had set.

In fact, the chair of Metro's community social services committee, which oversees Metro's role in the Jobs Ontario Training program, has said: "This program has not created more work for unemployed people. It has created more work for bureaucrats."

Minister, now that the people who deliver the Jobs Ontario Training program for you are saying that it just doesn't work, will you finally admit that the program is a failure? Why are you continuing to put money into a program which is doing nothing to help people get back to work?

**Hon David S. Cooke (Minister of Education and Training):** I can recall, just a couple of weeks ago, comments from Metro Toronto officials to Metro council indicating that the program was in fact showing very significant signs of success in Metropolitan Toronto, that it actually was having a substantial impact on the welfare costs here in Metropolitan Toronto. So I guess you can pick and choose what you want to quote.

The fact of the matter is that statistics still show that there have been tens of thousands of training positions and jobs created as a result of this program, that there are tens of thousands of people who have been assisted who were on social assistance but are now off social assistance.

No matter how many times the Leader of the Opposition tries to slam the program, the people who are participating in this program very much appreciate the opportunity to get into the workforce and get the type of training that you say they require and that is good for the province. But you speak differently depending on which day of the week it is. Do you want to help welfare recipients or don't you? Which audience are you speaking to today?

**Mrs McLeod:** There has been absolutely nothing inconsistent in our concerns with the Jobs Ontario Training program. There is nothing inconsistent in our saying that welfare rolls are at an all-time high in Metro, that what those people need is a chance to get into real work and that Jobs Ontario Training is not giving them that chance.

The original deadline for creating 100,000 jobs, this government's deadline, this government's target, was March 1994. By that time, by the time the deadline had expired, you had found jobs for only 29,000 people. You have enrolled 110,000 people in the program, all 110,000 people hoping you were going to find them a job, and 80,000 of those people are still waiting.

What's this government's response? This government's response is to extend the deadline for the program, to enrol more people, to lead more people on in the hope

that this program is going to help them find a job. Minister, why do you simply extend the deadline for a program? Do you think that extending the deadline is going to fix a program full of broken promises?

**Hon Mr Cooke:** What I do know is that since the last time the Leader of the Opposition raised the question of Jobs Ontario Training—the statistics I'm going to talk about right now are a week out of date; they're as of April 15, so the numbers would be even higher—since the last time you raised the matter, up till April 15, 3,058 additional jobs have been created under the Jobs Ontario Training program, and there have been 3,035 individuals—again this is only up till April 15, so there's another week to add in there—over 3,000 people placed in jobs. If that is a failure, then I don't understand what the definition of success is in this province.

**Mrs McLeod:** My definition of a failed program is a program that has 80,000 people sitting on a waiting list, hoping for a job that this government led them to believe it was somehow going to find for them, 80,000 people who are still waiting.

Not only is this government giving people false hope, not just to the 80,000 people who are on the waiting list but to all the people who will now enrol as this government extends the deadline until next March, and not only are they extending the deadline to try and save face with this failed program; they're also advertising this program as a success when it is clearly a failure. The staff have admitted that they have already spent some \$3 million advertising this failed program, and somehow maybe the minister thinks this kind of advertising will make people forget that the program has a failure rate of 75%.

Most sensible people would look at the failure of the Jobs Ontario program and would decide to cut their losses by scrapping the program instead of spending more money on advertising it. Why is this government's only response to a program which has clearly failed simply to extend the deadline to give false hope to more people and to spend more money on advertising?

**Hon Mr Cooke:** Nobody, when this program was announced, said that the Jobs Ontario Training program was the complete answer to all the unemployment problems in the province. That is absolute nonsense. It's the most simplistic, silly analysis of job creation that I've ever heard in my time in the Ontario Legislature—absolutely silly. This particular program has created jobs along with other Jobs Ontario programs that this government has announced in the past.

What I would ask the member once again is to go and talk to the business community in her own area. I wish she had come to the jobs fair that I went to Thunder Bay and talked to the business community about a few weeks ago. They had nothing but praise for this program. Those are people in the private sector, and I could list off the employers in her own riding that have praised this program and that have participated.

Get out there and talk to people in the real world. Talk to the welfare recipients who are back to work, talk to the employers who are taking advantage of this program, talk to people who have analysed this; not just the opposition mentality you bring to this place, but the real world.



**The Deputy Speaker (Mr Gilles E. Morin):** The question's been answered. New question.

**Mrs McLeod:** It is the government that set a target of 100,000 jobs. It is the government that enrolled 110,000 people. It is the government that has left 80,000 people on that waiting list.

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#### VIOLENCE AGAINST WOMEN

**Mrs Lyn McLeod (Leader of the Opposition):** My second question is to the Minister of Consumer and Commercial Relations. Over the last weeks, we in this Legislature have been spending a great deal of time talking about the increase in violent crime, the concerns that people have about the increase in violent crime and what we can do to try and stop it.

Today I want to turn to an issue that I believe is very much related to this, and that's the proliferation of material that promotes violence against women in our society. When you became the Minister of Consumer and Commercial Relations over three years ago, you said that this was a priority issue for you and you said, at that time, that you believed there was a link between pornography and violence against women and that you wanted to do something about it.

What I want to know, Minister, is when can we expect to see some action? Exactly what steps have you taken as minister over the last years to combat the proliferation of violent pornographic material?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** In fact, I have done a lot on this issue, and the opposition just isn't listening. Today your member for Eglinton, I believe, stood up and slammed me for not doing anything, for instance, on killer trading cards. I was really shocked to hear her say that I have done nothing when they sat there and did nothing, knowing that it was a federal issue. I'm the one who sent the letters and made the phone calls and you did nothing, knowing it was federal jurisdiction.

Also, I'm shocked that she is applauding the move by Mr Rock to allow these cards to be sold to people over 18. The federal government already, within the Criminal Code, outlaws certain kinds of crime comics. It's not an issue of freedom of speech. This part of the Criminal Code could be amended to deal with that. What is he doing? It is his jurisdiction. He's standing there and saying, "We can't interfere with freedom of speech; therefore, we're just not going to allow it to people under 18." It is a disgrace and not to be applauded.

**Mrs McLeod:** We have raised two very specific issues that we believe require urgent action from this minister and from this government, and we have indeed called on this government in the past to restrict the sale of serial killer cards. In fact, I am pleased that the federal government is taking action, and in committee will be looking at what further steps can be taken to deal with this problem. I will congratulate the member for Eglinton for having raised this issue and pursued this issue with both the provincial and the federal levels of government.

The second issue that we have raised is the proliferation of slasher films and this is an issue which the

Coalition for the Safety of Our Daughters has said is a very serious concern. It has now been close to a year since this House unanimously passed a resolution urging the government to take action to control access to these films.

That resolution called on you, under your jurisdiction, to review the operation of the Ontario Film Review Board, to strengthen the film rating system and to make sure the film review board is enforcing it, to hire inspectors to ensure that videos that are being sold or rented in Ontario stores have been classified and to implement a sticker program to warn consumers and retailers of the contents of the videos. Those were some of the specific steps that resolution called on you to take.

Minister, what specific actions have you taken to follow up on the recommendations of that resolution? I remind you that it was unanimously passed by this Legislature.

**Hon Ms Churley:** First of all, in direct answer to her question about what we have done, the OFRB has recently reviewed and revised its mandate. I think she is aware of that. The ministry has also reinforced the Theatres Act compliance section. We are reviewing a number of options for video-stickering programs, which can get very complex because we're dealing with two different issues here; that is, the adult-type film and the mainstream film. We should have an announcement about that shortly. Inspectors will be increased as well.

I want to come back to the issue of slasher films because I know it's an issue of great concern to all of us and it's been raised frequently in the House before. I have to say again that this is federal jurisdiction. The slasher films were around when you were in government and when they were in government. They predate the Theatres Act, and you know that. We have no jurisdiction.

Once again, I have written these letters and I have made phone calls to—

**The Deputy Speaker (Mr Gilles E. Morin):** The question has been answered.

**Mrs McLeod:** As the minister well knows, the issue of whether or not the Criminal Code definition of obscenity has to be changed is not the issue we're raising with her today. The issues we're raising with her today are very directly under her jurisdiction and that's why we pursue them in this Legislature.

Having said that, if the minister believes there are other actions that need to be taken by the federal government, I would urge her to contact the current federal government, and my understanding from discussions with the federal minister is that this has not happened.

Minister, I come back to a letter that we know you have written to our member for Eglinton. You wrote that letter in December and you indicated that your staff were working on a proposal to establish a sticker program for videos so that people who are purchasing or renting videos are warned about the content of those videos. You said that you were also reviewing the regulations of the Theatres Act and that you would find a way to restrict access to explicit sex and violent materials.

This was the same thing you committed to doing in April. It was the same thing you said you believed was a priority when you became minister. You said it again in a letter this December. In the meantime, the material continues to proliferate and teenagers can get access to these kinds of films at local video stores.

I want to know very specifically what action we can expect you to take in the next weeks. When will your review of the Theatres Act regulation be finished? When will your stickers proposal be ready to implement? Do you have any intention of taking and will you assure us you will take action before the end of this sitting?

**Hon Ms Churley:** I've already stated what we are doing, and it will be done. I want to repeat what I've said in this House before. These are very complex issues with new, emerging technology.

I'm very worried, for instance, about the possibility of the federal government very soon allowing a channel for video games. Nobody consulted with us, this province, about that and it is very worrisome. We have to look at the whole range of technology that's out there right now and how in fact the provinces are going to grapple with that vis-à-vis what the federal government is doing. This is getting to be a difficult and emerging issue that we all have to deal with. It makes what the film review board does almost obsolete.

But the Leader of the Opposition knows quite well there is a Theatres Act and under the act there are certain kinds of scenes that are not allowed, and that is happening. For instance, sexual activity with violence is not allowed; sexual activity with children is not allowed.

Some kind of stickering program, I agree with her, is very important because one of the problems is that the inspectors have a hard time sorting out the films that go through the board from the illegal ones. I do agree that has to be done and we will be bringing forth something very soon.

#### GOVERNMENT SPENDING

**Mr Michael D. Harris (Nipissing):** My question is to the Minister of Health. Minister, yesterday the member for Simcoe West asked you about the litany of mismanagement, questionable accounting and unauthorized spending at Houselink Community Homes Inc to the tune of \$2.5 million. We asked you to tell us specifically what steps you have taken to ensure this never happens again. We haven't heard an answer to that, and in addition to a couple of other things I want to know, I would invite the minister to respond some time today to that.

I specifically would like to know how much time passed from when the minister was aware that this report was in, because it was three and a half years before it became public. Why was this report kept from being public for three and a half years? What possible motive was there, even under the freedom of information act, to deny access to this report, to not releasing this report and making it public? Could you tell us that, Minister?

**Hon Ruth Grier (Minister of Health):** No, I couldn't. There was no request for freedom of information to the Ministry of Health. Had anybody asked for the report, they could have obtained it.

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**Mr Harris:** You sat on this report for over three and a half years; you refused to make it public. The reality is that this report is a litany of mismanagement, of no controls, of nobody knowing where the money is going. The reality today is that \$376,000 of taxpayers' money will never be recovered.

One of the things we say that you can do now is to ensure that it doesn't happen again. As well as instituting tough guidelines for these agencies, you have to send a clear message that your government will not tolerate what appears to me, as I read it—and what I think appears to any objective observer who has read the information that has become available—is fraud.

Could you tell us, Minister, when over this period of time the police were called in to investigate what appears to me to be fraudulent misuse of taxpayers' dollars?

**Hon Mrs Grier:** The leader of the third party and I completely agree. The auditor's report was a litany of mismanagement by the previous government between 1988 and 1990 with respect to funding that was given to a transfer agency. But what to do about it? Let me point out to the leader of the third party that our government got an audit report, our government then worked to recover the funding that had been spent without approval and our government put in place procedures to make sure that the kind of mismanagement which was rife under the previous government would never happen again.

**Mr Harris:** I asked you when the police were called in; you didn't answer that. I'm going under the assumption that with what certainly appears to me to be fraud, even today the police have not been called in.

I wonder if you can answer two things for me. Jack Lakey, Queen's Park bureau, Toronto Star: "The Star requested the audit under Ontario's freedom of information law but was denied because the government said it contained 'third-party information...which would lead to harm, if released.'" I wonder if you can clarify your position that nobody asked for it. I wonder if you can clarify for me what you think would be harmful if this report was released. Will you today, even though it's four years later, call in the police to investigate what appears to us to be fraudulent action?

**Hon Mrs Grier:** A transfer agency is an independent organization with a board of directors responsible for the operation of that facility. It is our taxpayers' dollar and the ministry takes very seriously any allegation that money was misspent. The ministry sent in an auditor. The auditor did a report. The report identified that there had been expenditures that had not been approved. We went over them line by line. Some of them in fact turned out to be expenditures that would have been approved had approval been asked; that was \$376,000 worth. The rest was funding that was in an account in the agency and which was recalled on behalf of the taxpayers of this province.

I'm not quite sure what the leader of the third party's problem is. There was no freedom of information request to the Ministry of Health for any report. Had there been a request, it would have been offered to anybody.



**The Deputy Speaker (Mr Gilles E. Morin):** New question.

**Mr Harris:** I guess the Star is wrong. But whether the Star is right or wrong, the fact is that you've covered up this report for three and a half years and you still haven't called in the police.

**The Deputy Speaker:** Order. New question.

**Mr Harris:** I don't know why you continue to cover up that mismanagement by the former administration. What are you covering up?

#### GUN CONTROL

**Mr Michael D. Harris (Nipissing):** My second question is to the Solicitor General. Over a week ago, I put forward what I thought was a very constructive and non-partisan proposal. I asked you, Minister, to spearhead a guns-for-goods program. At that time, you said to me and to the media that you were willing to take a look at the proposal, which I sent to you the next morning.

Minister, one week later, your only response to this suggestion is to ask the House leaders to send the matter to the justice committee of the Legislature, along with other issues, for three weeks of study some time this spring.

Solicitor General, my question to you is this: The program is going ahead without you; it is going ahead on a limited basis even without your support. If you are not willing to head or endorse or support a guns-for-goods program, will you today tell us, what single possible reservation do you have to encouraging the spreading of this program to even more municipalities in Ontario than it's already started off with now?

**Hon David Christopherson (Solicitor General):** I find myself very perplexed at the question. I just spent, along with our House leader, a fair bit of time this morning talking about how an all-party committee might be able to deal with this particular issue. Now, maybe I assumed incorrectly, but I assumed that was something the honourable members wanted, and if they were not interested in having us do that, they should have said so and I would have gladly moved straight ahead and responded forthrightly.

Perhaps I'm misunderstanding the positioning that the honourable member is offering on this issue, and perhaps I need to hear a supplementary, because I'm very confused and perplexed by the framing of the initial question.

**Mr Harris:** Let me try and clean up some of the confusion. The Toronto Sun doesn't need three weeks. They don't need three weeks of committee study. The Toronto Sun immediately started a guns-for-goods program of their own last week. I asked you to endorse it and get it under way. I told you we don't need studies; we don't need committees; we don't need to look at it. The Toronto Sun program is under way. They don't need any more study.

As of yesterday, in conjunction with the Toronto police, they had collected 437 weapons. Yesterday 12 more guns were turned in at Ottawa.

It has worked in other jurisdictions. It doesn't need study to prove it works. All it simply needs is that you,

on behalf of the government, endorse the program and encourage other police forces across the province to participate. Will you do this, Minister? Will you raise the profile of this issue, encourage others to participate, and let's get on with the program, spreading it around the province?

*Interjections.*

**The Deputy Speaker (Mr Gilles E. Morin):** Order. Please help me so that I can hear properly, because there's too much noise, honestly. Please. Minister.

**Hon Mr Christopherson:** I'm not sure what the game is here. The reality is that I have attempted and this government has attempted to respond to a very serious issue in an honourable way, to a suggestion I thought the honourable member was giving in a way that he meant to be honourable. If there's something wrong with the process, there's been ample opportunity to suggest that to me.

But to rise in the House here today and say that this issue doesn't matter, or that I have not followed on my responsibilities because I haven't bypassed the discussions that we're having, I find completely dishonourable and I don't know what the rules are that the honourable member is playing by.

Now, I hope that there is a clear misunderstanding—

*Interjections.*

**The Deputy Speaker:** Order. I'm sure that you didn't intend to call the honourable member a dishonourable member. If you did, I would ask you to apologize.

**Hon Mr Christopherson:** Mr Speaker, I was referring to his actions, not the honourable member, but I suspect that is equally unacceptable and therefore I withdraw the unparliamentary comments.

I urge the member to please put this in a way that allows us to deal with this in an honourable, consistent fashion, which is what we have sought to do. I sincerely believe that there is some sort of miscommunication that is having this being raised in this fashion, and if so, I'm prepared to meet with the leader, with the whip, with the critic, with the House leader, and so will my House leader, I'm sure, to correct the matter if there's a misunderstanding.

But I have to confess I am very, very taken aback by this, particularly when it comes on the heels of a meeting we just had a few hours ago where we've been trying to deal with this in I think a very positive fashion.

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**Mr Harris:** Let me be as constructive here as I can. Minister, I asked a week ago that you endorse the program, not a study, not get it tangled up in the ministries, and it doesn't need a committee of the Legislature. In fact, by three weeks' time the program will already be up and running in all of Ontario. All you have to do, and all I am asking you to do, is to not have more studies. I know you made a request today of the House leaders that it go to the committee and we study it for three weeks. I quite frankly don't think there's anything to study.

The Toronto police department is under way; Ottawa is under way; North Bay is under way. If you wish to

have a committee study issues, New Directions, Volume Three has about 40 issues you could study. What I am asking you to do is this: Will you send a fax today to all police departments, the OPP and all police departments in Ontario, and will you also send a fax to all of the chambers of commerce saying that you, the Solicitor General, support and encourage this program? Will you do that today so we can get under way and have the blessing of the Solicitor General and the government? That's all I'm asking.

**Hon Mr Christopherson:** I would hope the honourable member has done more research than just reading one local newspaper in addition to the clippings that he did send to me and the correspondence he forwarded the next morning.

I have had some initial discussions with some of the police chiefs. As I have said at the discussions we've had with the House leaders, there are some questions that need to be addressed, that this is not simply a rubber-stamp matter but that I believe, and I say it again, that the honourable member's suggestion and that of the initiative here in Toronto has enough merit that we ought to pursue it; I really do. But if he thinks for a minute that it's strictly a rubber stamp and there's no other issue than, "This sounds really good, so why don't we do it?" he's mistaken. There are some issues that need to be answered, and there are some questions that need to be looked at.

If we're going to talk about the Ontario government playing a leadership role across the province in offering up this program, then it does require at least a little bit of thought and a little bit of research. If he's not interested in doing it in the fashion we've talked about, say so and I will deal with it directly. But I will say that I think the way that has been suggested previously is the most constructive.

#### CONSERVATION EASEMENTS

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of Agriculture and Food and other things. Rural development, I believe, is the other title that he has.

#### *Interjections.*

**Mr Bradley:** There's a lot of noise I'm trying to speak over, but the question is the following. This is Earth Week, Mr Speaker, as you would know, and one of the things that the NDP used to stand for when Stephen Lewis was the leader of the NDP was the preservation of prime agricultural land.

In the Niagara Peninsula, if you travel between St Catharines and Toronto today you will find that agricultural land is quickly disappearing, much of it because of the fact that the farmers are struggling.

I think for over three years now your government has promised conservation easements to farmers in the Niagara region to alleviate some of their financial problems. My question to the minister is this: Will you tell the House when you plan to implement that program which you promised over three years ago?

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** The member is quite accurate

that this party and this government has long been committed to preserving the tender fruit land of the Niagara region, and we remain firmly committed to that. The Premier is committed, this government is committed to that, and we intend to honour that commitment.

**Mr Bradley:** I have a supplementary question to the minister. If you wish to save the farm land, you have to save the farmer. I have seen no evidence to this point in time that you are going to implement the conservation easement program, which would allow farmers to stay on the land and make a viable living out of it. Will you tell the House today whether you have been sidetracked by the Treasurer or other members of the cabinet, or whether, at long last, we can expect this announcement that will save the farm land which, if you observe with your eyes carefully, you will see is quickly disappearing in the Niagara Peninsula?

**Hon Mr Buchanan:** No, I don't intend to get sidetracked by anything. We intend to preserve the tender fruit land and we have made a commitment to preserving the tender fruit land. The Niagara easement program, which was worked on by a committee of farmers and others from the Niagara region, is a good program. I have supported it, the Premier and this government have supported it and we intend to honour that commitment.

However, the member mentions the farmer, who is obviously an important element in this equation. There are many other things that need to be done as well. Other ministries are in fact working with people in the region to look at value added further processing for peaches and other tender fruits. We intend to do more than just save the farm land; we are going to save the farmer as well.

#### HIV IN CORRECTIONAL FACILITIES

**Mr Robert W. Runciman (Leeds-Grenville):** My question is for the Solicitor General and deals with an issue I raised about a week and a half ago related to Camp Dufferin, a young offenders facility, the concerns surrounding a young man who was arrested by the London police and who was a suspected HIV carrier.

Minister, your officials compiled a list of, I understand, 80 names of individuals who may have been in contact with this young man during his period of incarceration at Camp Dufferin, people who may have—I stress "may have"—picked up the HIV virus.

The average stay, we're told, at Camp Dufferin is around 36 days. There's significant movement in and out of the facility. What have you and your officials done to ensure that Camp Dufferin is a safe facility, that you and your ministry have no concerns about sending young offenders into that institution at this point in time; that it is not, in effect, a breeding ground for HIV?

**Hon David Christopherson (Solicitor General and Minister of Correctional Services):** I appreciate the question. As the honourable member knows, the information that was compiled by my ministry was forwarded to the provincial medical officer of health, who is of course responsible for making decisions and carrying out any actions vis-à-vis the contacting and dealing with allegations of diseases of this nature.

With regard to the specific question he asked at the



time that these matters came forward, I asked ministry officials for a report on whether there were particular problems at the camp during that period or any subsequent period that I need to be concerned about, that I need to take action on. The preliminary finding, and I'm still waiting for a final report from my staff, is that there was nothing extraordinary about the situation at that time.

Obviously, if there were problems, we need to find out why they happened. But with regard to special problems or particular problems that stand out, at this point that doesn't seem to be the case. However, I reserve the right to modify that, pending receipt of the final report.

**Mr Runciman:** I'm sure I don't have to remind the minister that he has an obligation to maintain a safe institution. Your own officials identified 80 people who could have been in contact with this one individual. What about the people those 80 were in contact with during their time going in and out of Camp Dufferin? I think the significant question here is, does this facility constitute a health hazard?

The minister knows that he would have the ability, if this were a question of a venereal disease like syphilis, to go in and test. I think the concern that I'm expressing today is that we may indeed be gambling with young people's lives, sending them into this facility.

If you have not done anything, your officials have not done anything and if the Ministry of Health, through the chief medical officer of health, has done nothing whatsoever to ensure that this is indeed a safe facility, that it does not present a health hazard, if you have not done that or are not in the process of doing that, Minister, I suggest you're not carrying out your duties in a responsible fashion.

1450

**Hon Mr Christopherson:** The Tories are having an interesting day in the House today. I think, I really believe I just said that I did respond to that very concern. It was a question that obviously occurred to me. I talked to the chief medical officer of my ministry about this issue. I talked to a number of senior officials and asked for an initial response. I've asked them to provide me with a report on that.

With regard to the specific question of, do I believe that the facility is being run in a proper fashion as it exists today, yes, I do. I believe that the facility is as safe as one can expect. I don't want to put any special protection around what that might mean, but I certainly do want to alleviate any concerns that you may have in your question as to whether or not this is an appropriate facility for us to be using. The answer to that question very clearly, very directly and without hesitancy is yes.

#### RACCOON RABIES

**Mr Ron Hansen (Lincoln):** My question is to the Minister of Natural Resources. As you all know, raccoon rabies has made its way from the southern United States to just a few kilometres from the Niagara River separating Ontario and the US. Predictions are that this disease, which is a threat to wild and domestic animals and humans, could spread like wildfire through southern Ontario this summer.

I recall reading a newspaper story last summer about a young girl from New York state who died after contracting rabies. The Niagara South Federation of Agriculture recently contacted me that something should be done about the threat of raccoon rabies before it gets out of control. Can the minister advise this House and my constituency of exactly what is being done to keep this disease from crossing the Niagara River into Ontario?

**Hon Howard Hampton (Minister of Natural Resources):** The member asks a very important question and one that I think is significant, certainly, for his part of Ontario, being from the Niagara Peninsula. Earlier today we announced in Niagara Falls that Ontario is putting in place a contingency plan to deal with and to prevent the spread of rabies from upstate New York into Ontario.

Raccoon rabies is a new strain of rabies. It originated originally in Florida in the 1940s and has gradually moved into the more northerly parts of the United States. It's within 20 miles of the Ontario-New York border now.

What we plan to do is to spend about \$500,000 live-trapping raccoons between the Niagara River and the Welland Canal. After these raccoons are live-trapped, they are vaccinated and then released back into the wild. We will have established, in effect, a barrier of rabies-free raccoons in that area, which will prevent the further spread of rabies from New York state.

We are also going to conduct a large public information program to advise people to have their pets vaccinated, leave wild animals alone and, above all, educate their children about contacting wild or stray animals.

#### BUDGET CONSIDERATIONS

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Finance. It has to do with the budget which will be presented two weeks today. It really has to do with the basis on which you are preparing the budget. The minister will know that last year our Provincial Auditor, who is responsible for giving an independent view on the finances of the province, for the first time in the history of the province refused to give an unqualified opinion on the books. The minister's shaking his head, but that's the case. It's the first time in history that the auditor refused to give an unqualified opinion.

As a matter of fact, the auditor had something quite significant to say. He said, "Our general concern is that legislators and the public are not now being provided the financial information required to help them understand and assess the financial position and results of the operation of the government."

The auditor was saying that the way the books are reported does not give the public the information it needs to evaluate the budget. He made some very important recommendations indicating that the books should be prepared on the basis of his recommendations.

Can the Minister of Finance assure us that this budget will be prepared in accordance with the recommendations of the Provincial Auditor and that the books will reflect the Provincial Auditor's recommendations so we get an accurate reflection of the finances of the province?

**Hon Floyd Laughren (Minister of Finance):** I want to assure the member for Scarborough-Agincourt, and the auditor if he's watching, that the budget presented on May 5 will be an accurate reflection of the finances of the province.

Not only that, but the financial statements, which are the more formal statements—I would categorize them as such anyway—the more formal financial statements of the province, which will be presented in the fall, not in the form of a budget but in the form of the actual financial statements, will be as close as is humanly possible to the requests of the Provincial Auditor. There's no question about that. The only question is to what extent the budget on May 5 will be presented in the same way.

I think the member for Scarborough-Agincourt would acknowledge—I believe the auditor will—that there was not adequate time to present this provincial budget, standing the entire system on its head and changing the way in which the budget is presented, which is more of a public document as opposed to a precise set of financial books.

**Mr Phillips:** I will interpret the answer the minister gave us. I gather what the minister is saying is no, it will not be prepared in accordance with what the auditor requested, and that we will not see those numbers until September 30, 1995. That's when the public accounts for the upcoming budget will be released. The public accounts for the 1994-95 budget will not be released until September 30, 1995.

The reason I raise all this is that the auditor has already indicated that the books do not reflect the finances of the province and has made specific recommendations. In fact he says here, among other things, "Thus, substantial amounts of what would normally be direct government expenditure, revenue and debt will now be recorded outside" what's called "the consolidated revenue fund" or the budget.

On another matter—I gather what the minister is saying is they will still plan to sell government buildings and record that as revenue—the auditor says this: "To the extent the real estate is not resold to third parties, in substance there will be no sale." Yet I gather what the minister is saying is that he will continue to show that as revenue.

The reason I raise all of this is that the public, when they see the numbers, will be expecting that the Provincial Auditor's recommendations will be reflected in it, but they will not be. That's what the minister said today.

**The Deputy Speaker (Mr Gilles E. Morin):** Question.

**Mr Phillips:** My question is this: When you present your budget, how will the public be assured that these are the numbers that the Provincial Auditor believes should be reported, and how will we assure people in the province that this is a true reflection of the finances when the auditor has already said that, unless you do what he says, they will not be?

**Hon Mr Laughren:** First of all, you have my word that the budget that will be presented on May 5 will accurately reflect the finances of the province.

I wanted to clear up one area of misunderstanding—

and I think it's a misunderstanding, not a deliberate attempt to alter the facts—that the Provincial Auditor requires that the financial statements be done according to his wishes. I don't disagree with that at all.

For the fiscal year that has just ended, 1993-94, those financial statements are presented. When all the numbers are in and all the reconciliations are done, those numbers are presented in the fall of each year. It always has been that way for as long as I can remember. Those numbers will be done exactly the way the Provincial Auditor wants—

**Mr Phillips:** That is what this is, September 30, 1995.

**Hon Mr Laughren:** No, in 1994; not 1995, 1994. The member for Scarborough-Agincourt is dead wrong when he says that. In 1994, this fall, the financial statements will be presented according to the wishes of the Provincial Auditor. That's exactly what I think the member for Scarborough-Agincourt want us to do, and I can assure him we're going to do as the Provincial Auditor has requested.

1500

#### TENDERING PROCESS

**Mr Leo Jordan (Lanark-Renfrew):** My question is for the Minister of Natural Resources. A contract for 4.5 million trees was given to a company in Quebec. My question simply is: This contract accounts for one sixth of all the crown tenders for seedlings in Ontario. Why did you give it to a Quebec company?

**Hon Howard Hampton (Minister of Natural Resources):** Ontario has, for the last year and a half, decided to follow a policy whereby our contracts are eligible to people bidding from anywhere in Canada, and we do that because other provinces recognize our tree nurseries and allow our tree nurseries to bid on their contracts. For example, we will grow tree seedlings and we'll send them to British Columbia this year and we look forward to being able to negotiate contracts with other provinces.

There is one, so far, small glitch in the system, and that is an issue that this government has been trying to address. Quebec has had some restrictive practices in the past. We are trying to remove those restrictive practices. While we do that, we are trying to continue an open policy because we think that is the best for our growers in terms of their developing relationships with the forest industries elsewhere in Canada.

**Mr Jordan:** First of all, your ministry's tendering system gives Quebec producers an advantage in transportation costs. Second, the Quebec government subsidizes equipment costs for the Quebec companies. Would you agree to award Ontario's tenders to Ontario's companies until these differences are ironed out and we have a level playing field?

**Hon Mr Hampton:** I'm a bit perplexed. Yesterday the Conservative member sitting beside the member who just asked the question accused the government of bashing Quebec, and today the member stands up and says that we should be taking measures to exclude Quebec in this particular contract.

Ontario has led the way in trying to get interprovincial



procurement contracts so that Ontario businesses can do business freely across Canada with other provinces. We expect that by the end of June we will have such an interprovincial procurement agreement which will be to the benefit of tree seedling producers in Ontario.

The policies that MNR has followed in terms of tendering are fair, they are open to anyone who wants to bid and there is no special benefit in it for anyone. We are getting the best prices for our tree seedlings than we've ever got. They will allow us to do more with the money we have available, and we expect that they will be to the long-term benefit of our own tree seedling producers here in Ontario.

#### INTERNATIONAL TRADE

**Mrs Irene Mathysen (Middlesex):** My question is to the Minister of Agriculture, Food and Rural Affairs. I recently spent the day with members of the farm community in Middlesex. They and I would like to thank you, first of all, for the positive work that you've done to help farm families with regard to financing and farm programs as recommended in the Hayes report.

There are, however, still a number of very significant problems and concerns for Middlesex farmers. In particular, I'd like to raise the matter of the failure of Canada and the US to reach agreement on disputed farm trades. As you know, the US has threatened retaliation, and I'm concerned that this will have an impact on producers in my riding and across the province.

We've watched a very volatile situation. I assume that if you browsed through the *Globe and Mail* today, you'll understand what I mean by "volatile." The headline in the story says that US Senator Kent Conrad suggests that the United States nuke Canadians. At any rate, could the minister please provide information regarding the bilateral trade situation and tell this House what he's going to do to help Ontario farmers?

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** I appreciate the member's concern about the farmers in Middlesex, and the opposition Liberals across the way should listen too because the federal government in Ottawa has the primary responsibility for negotiating trade deals. They said they were going to fix NAFTA and they've accepted NAFTA as it was.

Having said that, we do have a major problem in terms of wheat exports to the United States. That seems to be the main stumbling block, and our federal government and the US seem to be at an impasse. It's rather unfortunate that we have respected senators in the US making statements about nuking the Canucks. I don't think this is conducive to good negotiations. The US has said that it's going to have a deadline of tomorrow to tell us what action it's going to take vis-à-vis wheat exports.

What we've been doing is working with the wheat industry, farm groups and the processing sectors to make sure that we keep as much information at the hands of our federal counterparts as possible so that we can get the best possible deal.

**Mrs Mathysen:** Thank you, Minister. It seems that the bilateral negotiations have broken down and that

there's real risk of an agricultural trade war breaking out with the Americans. Will the supply-managed dairy and poultry industries be drawn into this trade war?

**Hon Mr Buchanan:** Unfortunately, I don't have very good, up-to-date information. We do know that the federal minister, who had conversations with us before Christmas about our position on supply management—after the signing of the GATT deal, the supply management boards were told that they didn't have to worry, that we had tariff equivalents and they would be protected for a number of years. We are now not so sure.

We see that the US, in chicken and some of the other supply management commodities, are asking for major, major concessions. In fact they're saying they're not going to use GATT rules, they're going to use NAFTA rules on supply management, yet in the NAFTA agreement supply management was protected.

It causes us great alarm. We continue to work with the groups, including the processing sector, as I mentioned in the original question, to work with all those groups to make sure that we can assist the federal ministers of Agriculture and International Trade to get the best possible deal for Ontario.

#### GAMBLING

**Mr Carman McClelland (Brampton North):** My question is for the Minister of Consumer and Commercial Relations. On numerous occasions in the past and particularly during hearings on Bill 8, casino legislation, you were asked what you, as the minister responsible, together with your colleagues were going to do with respect to the issue of problem gambling, indeed addictive gambling, in the province of Ontario.

The question I have for you today is: What have you done, as a minister around the cabinet table, to ensure that there will be resources allocated and provided for the treatment of the inevitable problem of serious gambling addiction in the province of Ontario that will be accelerated and highlighted as a result of commercial casinos being brought into our jurisdiction? What have you done? How much money are you prepared to spend to solve the problem?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** This question was asked before by the same member, and what I told him at the time is still true today: that past governments did nothing on this issue. When we looked in the cupboards to find any kind of information or research, there was nothing. So this government did a comprehensive study to see what could be done.

As you know, gambling in Ontario is already a \$4-billion industry, between horse racing and lotteries and charitable gaming. We are adding one casino at this time to that mix. Certainly that one casino is acting as a catalyst only to have this government look at the problem.

We have given, I think it's \$75,000, somewhere around that amount, to a group concerned with compulsive gambling. They are in Windsor now, working specifically there with social service groups, and we will be bringing forward a more comprehensive plan in the near future.

**Mr McClelland:** Madam Minister, it's all well and

good to say that you will be bringing forward a more comprehensive plan in the near future. The fact of the matter is that it is probably going to be spinning out of control, given the response that you've given, if that's the best that you can do.

You know very well that to compare the horse racing industry and to compare charitable gaming, as it now exists, against commercial casino operations and the probability—I say the probability, in the absence of the Minister of Finance and the Premier—of video lottery terminals being advanced by your government—you know that the \$75,000 is totally inadequate.

The member for Cambridge—I understand the member for Hamilton West is here today.

**The Deputy Speaker (Mr Gilles E. Morin):** The question?

**Mr McClelland:** The Attorney General and others always railed against it. You know what they said in the past.

Minister, at conservative estimates, you're looking at a \$5-million social cost in terms of problematic gambling. If \$75,000 is the best you can do, you are in serious trouble. It's time you stood up and said what you are planning to do, instead of an esoteric "We're looking at it," some definitive plans on dealing with the problem.

**Hon Ms Churley:** I should think the member would be delighted and pleased to hear that this government is finally doing something about a problem that's been out there for some time, when your government was in power and when the Conservative government was in power.

We are doing something about it. We have committed for the short term the \$75,000 in Windsor specifically, but we will be bringing forward a more comprehensive approach to the problem focusing specifically in the area of education and prevention. That's what needs to be done. We are gathering the kinds of information that you, when you were in government, didn't get, when this problem has been around for a long, long time. I'm happy to say we are dealing with it.

1510

#### LAND USE PLANNING

**Mr Allan K. McLean (Simcoe East):** I have a question for the Minister of Municipal Affairs concerning his new approach to land use planning. Minister, your policy treats individual property owners pursuing routine planning approvals the same way it treats large-scale developers: A property owner who requires a minor variance to build a deck near a woodlot will need to undertake an environment impact study. You've clearly made no progress in having all municipal infrastructure dealt with under the Planning Act and not the Environmental Assessment Act.

Will you overhaul your policy to ensure it does not shut down rural Ontario, recognizes the diversity of the province and will not seriously curtail meaningful public involvement and community decision-making with regard to your environmental impact study?

**Hon Ed Philip (Minister of Municipal Affairs):** We're pursuing very vigorously a streamlining process that is the result of the Sewell consultations round 1, and

our extra consultation that has now ended on Sewell 2, so to speak. We intend to be introducing, hopefully, as we work our way through the cabinet process, a series of changes that will streamline the whole planning process. I've been meeting with municipalities, at the township level, the county level, and at the various upper- and lower-tier levels. We will be bringing forward a set of proposals that will streamline the process, and it will protect the environment and also be quite acceptable to developers and builders as well as the municipalities.

**The Deputy Speaker (Mr Gilles E. Morin):** This is the end of oral questions.

#### PARLIAMENTARY PROCEDURE

**Mr Gordon Mills (Durham East):** On a point of order, Mr Speaker: I refer to standing orders of the Legislative Assembly, chapter 6, rules of debate. I turn directly to section 23(d). That refers to unnecessarily reading in, during the debate, reports from documents. I think we have certain traditions in this Legislature. We have certain traditions in the House of Commons. We have certain traditions in the mother Parliament in the House of Commons in London, England, that promote lively debate.

I bring to your attention from Hansard yesterday, page 5760, when the honourable member for Dufferin-Peel read at length from a Canadian Federation of Independent Business report. It's my contention that this type of debate is very uninteresting, very dull and it's not within the traditions of this House.

**The Deputy Speaker (Mr Gilles E. Morin):** I'd like to remind the honourable member that the debate took place yesterday. The point of order should have been made then. In any case, I think you've raised a very good point and perhaps the honourable members will listen to what you've just mentioned.

**Mr David Turnbull (York Mills):** On a point of order, Mr Speaker: I listened attentively to what the member brought forward as a point of order. I find that quite strange, having listened to so many of his colleagues on the NDP benches reading verbatim—

**The Deputy Speaker:** Order. I have understood you. I think I've made the right clarification, and the member will understand that whenever there is a point of order, it should be raised immediately.

#### PETITIONS

##### EDUCATION FINANCING

**Mr D. James Henderson (Etobicoke-Humber):** This is a petition to the Legislative Assembly of Ontario:

"Whereas the British North America Act of 1867 supports the right of Catholic students to a Catholic education and the province of Ontario supports two educational systems from kindergarten to grade 12 OAC;

"Whereas the Metropolitan Separate School Board educates more than 103,000 students across Metropolitan Toronto, and whereas this is equivalent to 30% of all the students in the area;

"Whereas the Metropolitan Separate School Board is expected to provide the same programs and services as its public school counterpart and must do so by receiving \$1,822 less for each elementary school student and



\$2,542 less per secondary school student (based on 1993 estimates);

"We, the undersigned, petition the Legislative Assembly of Ontario to act now to ensure that Ontario's two principal education systems are fully and equally funded."

That petition is signed by about 500 residents of Etobicoke and by me.

#### FIREARMS SAFETY

**Mr Chris Hodgson (Victoria-Haliburton):** I have a petition that's been signed by many of the residents from my riding and across Ontario.

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I sign my name to the attached petition.

#### SEXUAL ORIENTATION

**Mr Will Ferguson (Kitchener):** I'd like to present a petition from the residents of my riding.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it.

"We believe that there will be an enormous negative impact on our society, both morally and economically, over the long term if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, which is enjoyed by everyone by law now. But since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code and may include sadomasochism, paedophilia, bestiality etc, and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age and sex, we believe all such references should be removed from the code."

This is signed by residents of my riding, including Eva Becht of Willow Green Court, and I affix my signature.

#### FIREARMS SAFETY

**Mr Bruce Crozier (Essex South):** I have a petition sent to me by the Ontario Federation of Anglers and

Hunters and signed by 141 persons. It's addressed to the Legislative Assembly:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I affix my signature to this petition.

1520

#### JUNIOR KINDERGARTEN

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the previous provincial Liberal government of David Peterson announced its intention in its budget of 1989 of requiring all school boards to provide junior kindergarten; and

"Whereas the provincial NDP government is continuing the Liberal policy of requiring school boards in Ontario to phase in junior kindergarten; and

"Whereas the government is downloading expensive programs like junior kindergarten on to local boards while not providing boards with the required funding to undertake those programs; and

"Whereas the Wellington County Board of Education estimates that the operating costs of junior kindergarten will be at least \$4.5 million per year; and

"Whereas mandatory junior kindergarten programs will force boards to cut other important programs or raise taxes; and

"Whereas taxes in Ontario are already far too high;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government of Ontario cancel its policy of forcing junior kindergarten on to local boards."

I support this petition.

#### FIREARMS SAFETY

**Mr Frank Miclash (Kenora):** I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to the minister the Solicitor General's decision on the firearms acquisition certification course and examination; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I have affixed my name to that petition as well.

#### SEXUAL ORIENTATION

**Mr David Johnson (Don Mills):** I have a petition I received last night at a town hall meeting.

"To the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a sacred union between a man and a woman are under attack by Liberal MPP Tim Murphy and his private member's Bill 45; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no Progressive Conservative support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently with the legislative committee on administration of justice and is being readied for quick passage in the Legislature; and

"Whereas this bill has not been fully examined for financial and societal implications;

"We, the undersigned, petition the Ontario Legislature to stop this bill and future bills which would grant same-sex couples the right to marry, and to consider its impact on families in Ontario."

Signed by a number of residents of the riding of Don Mills and of York East, and I affix my signature to it.

**Mr Bill Murdoch (Grey-Owen Sound):** I have a petition that was sent to me by the Victory Fellowship Baptist Church in Hanover, and they have quite a few signatures. It's to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it.

"We believe that there will be an enormous negative impact on our society, both morally and economically, over the long term if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, which is enjoyed by everyone by law now. But since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age and sex, we believe all such references should be removed from the code.

"Therefore, we request that the House refrain from passing Bill 45."

#### FIREARMS SAFETY

**Ms Margaret H. Harrington (Niagara Falls):** I have a petition here signed by about 40 to 50 residents of the riding of Niagara South, which is actually not my riding. Basically, people are from Fort Erie, Port Colborne, Stevensville, Crystal Beach. These good folks of this area of Wainfleet, Crystal Beach, Port Colborne and Fort Erie have asked:

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I submit this to the Legislature.

**Mr Bill Murdoch (Grey-Owen Sound):** I have a number of petitions that have been sent to me by the Ontario Federation of Anglers and Hunters, and the names come from my riding.

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

#### LAND-LEASE COMMUNITIES

**Mr Gordon Mills (Durham East):** I have a petition that I present to the Ontario Legislature today on behalf of over 700 citizens who live in my riding, in a community known as Wilmot Creek. The petition is addressed:

"Whereas Bill 21 has received second reading in the Legislative Assembly of Ontario; and

"Whereas Bill 21 will provide needed protection to owners of mobile homes in mobile home parks and owners of modular homes in land-lease communities; and

"Whereas many owners of mobile homes are threatened with eviction and loss of their investment in their mobile home by the action of their landlord;"

I draw this to the attention of the Conservative Party, who've effectively blocked this bill. My constituents say:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows"—and listen up:

"To proceed as expeditiously as possible with third reading of Bill 21."

This is vital to my community.



## SEXUAL ORIENTATION

**Ms Margaret H. Harrington (Niagara Falls):** I have a petition submitted by Drummond Hill Presbyterian Church in the city of Niagara Falls. There are approximately 40 to 50 signatures. They say:

"As concerned citizens of Ontario, we, the undersigned, wish to register our objection to Bill 55, An Act to amend the Human Rights Code. We do not wish to have sexual orientation added to the present legislation."

**The Acting Speaker (Mr Noble Villeneuve):** Further petitions? The honourable member for Grey-Owen Sound.

**Mr Bill Murdoch (Grey-Owen Sound):** Thank you, Mr Speaker, and I'd like to inform you that I hope the member from Durham over there can listen to this one and be quiet while I'm presenting it, like we did with his.

"To the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a sacred union between a man and a woman are under attack by Liberal MPP Tim Murphy and his private member's Bill 45; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of the NDP and Liberal majority, but with no PC support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently with the legislative committee on the administration of justice and is being readied for quick passage in the Legislature; and

"Whereas this bill has not been fully examined for financial and societal implications;

"We, the undersigned, petition the Ontario Legislature to stop this bill and to consider its impact on families in Ontario."

Thank you, Mr Speaker, and thank you to the member from Durham for keeping quiet this time.

## LAND-LEASE COMMUNITIES

**Mr Drummond White (Durham Centre):** I have a petition to the Legislative Assembly of Ontario sent to me by the many, many hundreds of people of the Subway Mobile Home Park.

"Whereas Bill 21 has received second reading in the Legislative Assembly of Ontario; and

"Whereas Bill 21 will provide needed protection to owners of mobile homes in mobile home trailer parks and owners of modular homes—their homes—"in land-lease communities; and"

Whereas a scurrilous attempt by the opposition Tories has delayed the passage of this bill; and

"Whereas many owners of mobile homes are threatened with eviction and loss of their investment in their mobile homes by the action of this landlord,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To proceed as expeditiously as possible to interest those very people who have been so severely affected and to expeditiously pass third reading of Bill 21."

## REPORTS BY COMMITTEES

STANDING COMMITTEE  
ON GENERAL GOVERNMENT

Mr Daigeler from the standing committee on general government presented the following report and moved its adoption:

Your committee begs to report the following bill, as amended:

Bill 120, An Act to amend certain statutes concerning residential property / *Projet de loi 120, Loi modifiant certaines lois en ce qui concerne les immeubles d'habitation.*

**The Acting Speaker (Mr Noble Villeneuve):** Mr Daigeler moves that the bill shall be reported and received as adopted.

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members; a five-minute bell.

*The division bells rang from 1532 to 1537.*

**The Acting Speaker:** Would all members please take their seats. We are now dealing with a standing committee report by Mr Daigeler on behalf of Bill 120 from the general government committee.

Those in favour, please rise one at a time and be recognized by the Clerk.

## Ayes

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Charlton, Christopherson, Churley, Cooke, Cooper, Dadamo, Duignan, Farnan, Ferguson, Fletcher, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kormos, Lankin, Laughren, Lessard, Mackenzie, Malkowski, Marchese, Martel, Martin, Mathysen, Mills, Morrow, O'Connor, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rizzo, Silipo, Swarbrick, Ward, Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson (Kingston and The Islands), Wiseman, Wood, Ziemba.

**The Acting Speaker:** All those opposed to Mr Daigeler's committee report, please rise one at a time and be recognized by the Clerk.

## Nays

Bradley, Callahan, Caplan, Carr, Chiarelli, Daigeler, Eddy, Eves, Harnick, Henderson, Johnson (Don Mills), Jordan, Kwinter, Murdoch (Grey-Owen Sound), Phillips (Scarborough-Agincourt), Poole, Runciman, Tilson, Turnbull, Wilson (Simcoe West).

**The Acting Speaker:** The ayes are 58; the nays are 20. I declare the report of the standing committee on general government regarding Bill 120 to be carried.

Pursuant to the order of the House dated April 19, 1994, this bill is ordered referred to the committee of the whole House.

STANDING COMMITTEE  
ON THE LEGISLATIVE ASSEMBLY

Mr Hansen from the standing committee on the Legislative Assembly presented the committee's special

report and moved the adoption of its recommendation.

**The Acting Speaker (Mr Noble Villeneuve):** Mr Hansen, the member for Lincoln, has moved the report of the standing committee on the Legislative Assembly. Does the honourable member wish to make a statement?

**Mr Ron Hansen (Lincoln):** I would like to thank all the committee members for the two months that we've had interviews to interview the new Environmental Commissioner. Last night, we decided on whom we would be hiring.

There were a lot of difficult questions that we had. It had to cover the areas of business, farming, environment and the general public. With unanimous consent of all members, we did pick one in the end. I think this committee did a wonderful job and I'll be looking forward, as will the House and our Legislature, to working with the new Environmental Commissioner.

I move adjournment of the debate.

**The Acting Speaker:** Mr Hansen moves adjournment of the debate. Is it the pleasure of the House that the motion carry? The motion carries.

**Hon Bud Wildman (Minister of Environment and Energy):** On a point of order, Mr Speaker: With your indulgence and the indulgence of the House, I would like to take this opportunity to congratulate the members of the committee and to introduce the individual that the committee has unanimously recommended to the House to be appointed as the Environmental Commissioner, the first Environmental Commissioner in the history of Ontario, M Eva Ligeti, who is sitting in your gallery, Mr Speaker.

M Ligeti is currently the principal of Sheppard campus, Seneca College, and chair of the school of legal and public administration. She has been active as legal counsel in a number of areas, including having worked with the Canadian Environmental Law Association. Again I congratulate her and the committee for their work.

**The Acting Speaker:** It is not exactly a point of order, but it's a point of very important information. The member for Dufferin-Peel.

**Mr David Tilson (Dufferin-Peel):** I'd like to speak very briefly with respect to the point that was raised by the minister. He is right that the committee members were unanimous with respect to the appointment of this woman as the new commissioner for the Environmental Bill of Rights. I will say that we feel she is certainly qualified for the position. I look forward to hearing more work from the Board of Internal Economy, which will be dealing with respect to the budget and other remunerative matters with respect to this position.

I will say as well that I wish the new commissioner well in her endeavours, because certainly we on this side have expressed a great concern as to the financial implications of this whole process. The cost will be considerably higher than has been anticipated by the minister. I think he originally gave a quote of \$4.5 million.

It is interesting of course that the Environmental Commissioner's office has already been established, notwithstanding the fact that I don't even think the bill has been proclaimed.

**Hon Mr Wildman:** It has been proclaimed.

**Mr Tilson:** It has been proclaimed? But it has the same address of course as the Minister of Environment and Energy. There have been a number of office staff that have been hired for a considerable period of time. They're in the provincial directory. There's at least half a dozen to a dozen people who have already been employed. This is even before the commissioner has taken her office.

The two issues that have remained throughout the debate on this legislation are the potential cost of the implementation and the resources of the provincial government, particularly the Ministry of Environment and Energy, to enforce it.

Although I certainly congratulate—

*Interjections.*

**The Acting Speaker:** Order, please. The Speaker can't hear the member.

**Mr Tilson:** Although we certainly agree with this appointment, our party still has a concern with respect to the ability of the government, particularly the Ministry of Environment and Energy, to enforce this legislation. We express grave concern that the cost will be similar to the cost of the commissioner for human rights and the great cost that has been put on that. This is another layer of bureaucracy which at this time of recession we express some concern about.

In the very near future the commissioner's office, we would submit, will be buried with requests for investigations in review. There will be a strain on all the various ministries with respect to the statements of environment that are going to be put out by the 14 ministries. This commissioner has her work cut out for her. She will be asking the Board of Internal Economy for more money, more money that this government doesn't have.

I wish her well in her endeavours, but again I repeat the concern that we always have, the analogy between the Ontario Human Rights Commission with respect to the backups and the speed of processing complaints. We feel there's a potential for a similar scenario arising at the Environmental Commissioner's office, and we feel that certainly exists.

**The Acting Speaker:** The point of order, please.

**Mr Tilson:** Yes, Mr Speaker, it's a point of order. It's a concern with respect to the minister announcing this appointment of this woman. Certainly, we speak in support of it, but we're concerned with the cost that's going to be with respect to this government and whether or not the commissioner's office will have the financial resources that it should have in operating. We express a grave concern with that.

Specifically, when you look at already—

*Interjections.*

**The Acting Speaker:** The member brings a point that has to do with the Board of Internal Economy and the cost. I do not believe it is within the purview of the Chair to allow this debate to continue.

**Mr Wayne Lessard (Windsor-Walkerville):** On the same point, Mr Speaker: I just wanted to point out that



the minister omitted one important point, and that was that the person recommended is a graduate of the University of Windsor law school as well.

**The Acting Speaker:** That's not quite a point of order.

**Mr Robert V. Callahan (Brampton South):** In the interest of fairness, this has turned out to be unanimous consent and I think the Liberal Party should be able to offer its congratulations as well.

**The Acting Speaker:** I'm not sure we have unanimous consent, but you're on a point of order.

**Mr Callahan:** The environment of course is one of the most important issues to young people. I notice that the new commissioner has two young people up there, who I presume are progeny of hers. Certainly, those young people consider the environment to be a first-class, top priority for them. I think it's important that a commissioner—

**The Acting Speaker:** To the point of order, please, the honourable member.

1550

**Mr Callahan:** I would like to congratulate, on behalf of my leader, Lyn McLeod, and our Liberal caucus, the new commissioner. I wish her well. I hope that she is given the tools and the opportunities to do something about the environment. Hopefully, she will not be hampered by the fact that there are not funds available. We would hope that it is a true job that she can do, as opposed to smoke and mirrors.

**The Acting Speaker:** I'm sure these points are very interesting, but I'm not sure any of them are points of order. We still have reports by committees.

#### STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr Huget from the standing committee on resources development presented the following report and moved its adoption:

Your committee begs to report the following bill, as amended:

Bill 143, An Act to amend certain Acts related to The Regional Municipality of Ottawa-Carleton and to amend the Education Act in respect of French-Language School Boards / Projet de loi 143, Loi modifiant certaines lois relatives à la municipalité régionale d'Ottawa-Carleton et la Loi sur l'Éducation en ce qui a trait aux conseils scolaires de langue française.

**The Acting Speaker (Mr Noble Villeneuve):** Shall the report be received and adopted? Agreed.

Pursuant to the order of the House dated April 7, 1994, this bill is now ordered for third reading.

#### ORDERS OF THE DAY

##### COURTS OF JUSTICE

##### STATUTE LAW AMENDMENT ACT, 1993

##### LOI DE 1993 MODIFIANT DES LOIS

##### EN CE QUI CONCERNE

##### LES TRIBUNAUX JUDICIAIRES

Mrs Boyd moved second reading of the following bill:

Bill 136, An Act to amend the Courts of Justice Act and to make related amendments to the Freedom of

Information and Protection of Privacy Act and the Justices of the Peace Act / Projet de loi 136, Loi modifiant la Loi sur les tribunaux judiciaires et apportant des modifications corrélatives à la Loi sur l'accès à l'information et la protection de la vie privée et à la Loi sur les juges de paix.

**The Acting Speaker (Mr Noble Villeneuve):** Would you have some opening comments?

**Hon Marion Boyd (Attorney General):** I do. I'm very pleased to today to move second reading of the Courts of Justice Statute Law Amendment Act, Bill 136, which received first reading last December 14.

Bill 136 replaced a previous bill, Bill 68, which was first introduced in the spring session of 1993. This new bill reflects the changes that were agreed upon during consultations in the fall of 1993.

Bill 136 has been the subject of extensive consultation from its inception. We have had many discussions over the past two years with provincially and federally appointed judges, with representatives of the bar and with representatives of the broader community, as well as users of the court system.

I would also like to acknowledge and thank the honourable member for Willowdale and the honourable member for Ottawa West for the time they have taken to comment on this bill. I look forward to this debate and to the discussions which will take place in committee.

The provisions of the bill now include many of the excellent suggestions that were made to us during the consultation. The frank and detailed exchange of views has helped us to balance the competing concerns which arise with respect to these very important issues. I feel very positive about the intensity of the exchange between the ministry and the judiciary, the bar and the community, and I am grateful for the time and effort that were so generously devoted to the consultation process by all the groups that were involved in it.

I would like to remind the members of a number of important changes to Ontario's justice system which this legislation will bring about. The first matter is that of the judicial council. This bill will bring about significant reforms to the Ontario Judicial Council, which is the body responsible for investigating complaints against provincially appointed judges. These reforms are designed to respond to a number of concerns.

As we are all aware, there is increasing public pressure for openness and accountability of governments. The judiciary, as one branch of government, has come under increased public pressure and public scrutiny to be responsible to the community it serves. Measures to address these pressures, however, must be consistent with the independence of the judiciary. This is a fundamental democratic value and it is protected by Canada's Constitution.

The Ontario Judicial Council is an important vehicle for addressing some of these pressures in a manner which is consistent with the principle of judicial independence. However, the extent to which public confidence is enhanced by the current complaint process is limited in a number of ways. For example, public understanding of

the nature of the judicial council process is limited and many are unaware that a complaints process exists at all. The council's proceedings are closed and, as a result, the public cannot satisfy itself that complaints have been handled appropriately. The existing process permits only a very limited range of dispositions in response to a complaint and this leads to the perception that only extremely serious misconduct can be addressed.

In addition, our provincial judges have expressed concern about the fairness of the council process and about what they see as an underrepresentation of members of their bench on the council which disciplines them. For the complaints process to be effective, it is very important that judges feel confident that complaints are adjudicated fairly and with a full understanding of the particular circumstances and pressures of their bench.

We have addressed these concerns by introducing reforms which will make the council more open, accountable, effective and fair while fully respecting judicial independence. This will help to reassure the public that complaints about judicial misconduct are handled appropriately. It will also ensure that judges themselves have confidence in the fairness of the complaints process.

Significant reforms include, first, increasing the number of public members on the council to enhance judicial accountability and public input into the handling of complaints. However, in accordance with constitutional guarantees of judicial independence, the judges will continue to hold a majority of votes on council.

Second, the proportion of provincial judges on the council has been increased relative to federally appointed judges, but the Chief Justice of Ontario, a federally appointed judge, will continue to chair proceedings in relation to complaints that are going to a hearing.

Third, public access to the council will be significantly enhanced. Toll-free telephone access and assistance in drafting complaints will be provided and public education about the council will be available in a number of languages. The council will also publish an annual report about its activities.

Fourth, for the first time the council will have a range of disciplinary options available to it. These choices will permit the council to respond to misconduct that does not warrant removal from the bench, conduct for which it currently has no remedies. This range of dispositions will allow the council to respond supportively, where it is appropriate to do so, and to work with judges to take preventive measures.

Fifth, the Chief Judge will be given the power to establish standards for judicial conduct, subject to the approval of the council.

Sixth, the Chief Judge will also be given the power to establish a program of judicial performance evaluations. These will be completely confidential and will permit a supportive system of feedback to the judges.

Finally, the Chief Judge will be required to develop a plan for continuing judicial education.

We believe that standards, an education plan and a program for evaluations can provide valuable supports for the judiciary and we also believe that making those

standards and education plan available to the public will help to educate all of us about appropriate expectations of judicial conduct.

The next item that's dealt with in the bill is that of the Family Court. Bill 136 will also create on a phased-in basis a province-wide full-jurisdiction Family Court as a distinct unit within the Ontario Court (General Division).

The Unified Family Court in Hamilton-Wentworth was the first full-jurisdiction family court in Canada. That court has jurisdiction over divorces, annulments, custody of children, support of spouses and children, division of property between spouses, child protection, adoption and young offenders, known at the time that the court was established as juvenile delinquents. It was established as a pilot project in July 1977, with federal cooperation, for a three-year period, and that period was extended a further two years. A conciliation service was established as part of the court operation. The court was an unqualified success, as shown by an independent evaluation done in 1980 and another updated two years later.

#### 1600

In 1982, the Unified Family Court was made a permanent part of Ontario's court system, but until now it has not been extended beyond Hamilton-Wentworth. Our government is very pleased and proud to be able to do so now, with the active support of the federal minister and the Department of Justice.

The new province-wide Unified Family Court will also have full powers over all areas of family law now dealt with by the General Division and the Provincial Division. Consolidation of the family law jurisdiction of these two courts will provide one-stop shopping for families experiencing legal problems and will make available a specialized judiciary for family disputes.

I know the members would like at this time to hear about our plans for the number and the locations of the new Family Court sites. We are still having discussions with the federal minister and the Department of Justice about the number of judicial appointments that will be made available in the first round of expansion, and until those discussions are completed, it will not be possible for me to announce locations. I want to assure members that we are looking carefully at every single county and district in Ontario as a possible new Family Court location in the first round of expansion.

Members will also be interested in the government's plans to provide social service resources, for example, supervised access or mediation resources, in connection with the new Family Court locations. Our government believes that a full-service Family Court should have a full range of social services associated with it if it is to assist families and their members in crisis.

It is for this reason that the bill provides for the establishment of community resource committees to advise the government and the other relevant authorities on the need for social services in any particular location. One of the other functions of these committees is to assist in the development of resources to fill needs in particular communities, with the assistance of the municipalities and the private sector as well as with the government's help.



We want the new Family Court locations to plug into and help augment existing community services wherever that is possible. My ministry will also make the addition of social services resources a priority in those new locations, within the confines of our current fiscal restraints.

Bill 136 also addresses changes in the Small Claims Court. The bill continues the existing model of Small Claims Court, operating with lawyers serving part-time as deputy judges. This model has proved highly effective in providing high-quality adjudication of smaller cases at relatively little cost to the taxpayer. The contribution of members of the legal profession as deputy judges is invaluable and is greatly appreciated by government and the public alike.

In addition, however, the bill will make it possible for parties to have their cases determined by a non-lawyer referee, but only with their consent. We plan to offer this service in a few selected locations, and we will evaluate the experience of those locations prior to any further expansion.

Bill 136 contains a new provision for a formal process to deal with complaints of misconduct by deputy judges. The vast majority of complaints about deputy judges do not in fact involve allegations of reviewable misconduct. However, we considered it advisable to provide for the possibility that such complaints might arise from time to time, as they do in relation to provincial judges or justices of the peace. We have received comments on the draft bill's provisions that indicated it would be desirable to have complaints against deputy judges dealt with on a local level, and I will be introducing an amendment to propose a process that will accomplish that end.

The Courts of Justice Act deals with many other matters. It was last amended in any significant way in 1989. Since that time, we have had the benefit of experience with the new court structure that was instituted at that time. As well, the justice system has evolved in ways that now require statutory adjustments to be made.

Accordingly, Bill 136 makes a number of other important amendments, such as changes in the management structure of the Ontario Court (Provincial Division) to create two associate chief justice positions and to revise the terms of office for regional senior judges.

The bill provides a clarification of the rights of parties who speak French to plead their cases in the courts in French in all areas now covered by the French Language Services Act.

The bill enshrines the Judicial Appointments Advisory Committee process in legislation as it has developed over the course of the last five years.

The bill also enshrines a fair and independent process for determining the salaries and benefits of the provincial judiciary.

In addition, a number of technical improvements and adjustments have been made to the provisions of the existing act.

In conclusion, I want to say that Ontario has one of the best justice systems in the world. This government is committed to proceeding with changes to ensure that

fairness, accessibility and equality for all individuals continue to be the hallmarks of justice in this province. Bill 136 represents changes to maintain and improve an inclusive justice system which is representative of and sensitive to the communities it serves. Our consultation process has achieved a balance between judicial accountability and judicial independence which will foster increased public acceptance and confidence.

I wish to thank again all those who have contributed to the development of this bill. Their thoughtful consideration of the issues has allowed us to advance and achieve another of the goals which this government had established as part of its social justice agenda. Bill 136 has been well received. It brings about some long-awaited improvements to the justice system.

We hope that the bill can be quickly scheduled for consideration by the standing committee on administration of justice and that it will receive final consideration by the House this spring. We accordingly hope that it will receive support in principle from the members today.

**The Acting Speaker:** Questions or comments? further debate?

**Mr Robert Chiarelli (Ottawa West):** First of all, we will be supporting the bill in principle. I also want to thank the minister and her deputy, George Thomson, for the cooperative effort with which they undertook this particular legislation. We certainly appreciate it. We met on several occasions with the critics, the minister and her deputy.

I know there was also extensive consultation with the judges and others in the legal profession. However, I'm not sure whether I should compliment or criticize the minister for that process because, as we know, the legislation was first introduced as Bill 68 last July and we are now here in April dealing with Bill 136. The reason that has come to pass is because there had to be extensive revisions. I'm wondering whether I should compliment the minister for incorporating those extensive revisions or perhaps criticize her for not listening properly in the first instance. In any case, we have a bill now that we can support, and we intend to do that.

As the minister indicated, the bill deals with five issues: reform of the Ontario Judicial Council, legislatively entrenching the Judicial Appointments Advisory Committee, creation of the uniform Family Court, provisions for judicial compensation, and dealing with a number of technical amendments to the Courts of Justice Act.

I do want to comment on some of these provisions and, notwithstanding the fact that we will be voting in favour of the legislation in principle, we do want to express some concerns.

1610

First of all, with respect to the Ontario Judicial Council, we agree with the provisions as they have come forward in final form in the legislation. However, we want to point out that as important as this particular provision is, we have in Ontario tens of thousands of clients in the civil litigation process in particular, and most of them do not have complaints with the judiciary. We have an

excellent judiciary in this province. They're professional, they're independent, they're responsible, and I think they deserve all the compliments we can give them.

We have legislation. It's significant legislation. It impacts particularly on the internal workings of the judiciary and people who do have complaints, but this aspect of the legislation does not impact significantly in any way on how the justice system in the province is carried on, particularly some of the very critical issues. We compliment the minister and we support this particular provision, but the number of complaints is extremely small, so the general thrust of what's going on in the judicial system is not really impacted by this particular provision.

With respect to legislatively entrenching the Judicial Appointments Advisory Committee, this committee was established by the Attorney General in the previous Liberal government, Mr Ian Scott. It is now being entrenched in legislation, and we certainly support that. We do wish to comment, however, that it's not only the structure and the legislation that is important, but it's how a government manages that particular structure.

The minister will be aware that we've had some significant criticism, particularly of one aspect of this committee, in the course of the last year and a half, and that is that the predecessor Attorney General, Mr Hampton, saw fit to have remain as chair of that committee a nominated federal New Democratic Party candidate from the Windsor area. That was raised in the Legislature and nothing was done at the time.

We took great exception to a committee that is supposed to be independent, that is supposed to be independently appointing our judiciary, being managed by a chair who was a nominated federal New Democratic Party candidate. We have some concerns about the management of the particular committee and the appointments that are made to that particular committee, not so much how the committee has operated itself or how it will operate.

I have some comments as well with respect to the uniform Family Court. The minister is aware, and certainly we are aware in our caucus, of the tremendous support from the family law lawyers across the province to extend the uniform Family Court. The Hamilton-Wentworth pilot project has worked extremely well.

We have had very strong lobbies come to Queen's Park from every part of the province demanding a uniform Family Court, because it is one of the few areas in the litigation process, particularly the civil litigation process, where the concept of alternative dispute resolution really works well, where we have the lawyers and professionals working and we have a streamlined legal procedure where we don't have to jump from one judge to another for different aspects of Family Court—an aspect, incidentally, which really brings the process of the justice system into disrepute in this province. The uniform Family Court concept will be very, very helpful in addressing that type of problem.

But the minister points out that we do need some federally appointed judges to expand this system across the province. What the minister is implying is that the expansion of these uniform Family Courts depends on the decisions that are made in Ottawa, the number of judges

who will be appointed to handle these particular courts.

My information from the very highest level of the Department of Justice is that there are some concerns on the part of the federal Department of Justice in terms of the speed with which we expand the uniform Family Courts: that the federal government and indeed the people of Ontario need a commitment from this minister and this government that they will provide the infrastructure, the court space, the professionals and everything else that goes hand in hand in a uniform Family Court, as well as the appointment of federal judges. The federal government is not going to appoint federal judges to handle these courts unless there's a commitment from the province to provide the infrastructure, and that commitment from the province has not yet taken place, at least not publicly.

So I'm asking the minister to give a commitment to this House and to the federal Minister of Justice that she will immediately fast-track the infrastructure and all the internal dynamics that are necessary to establish the uniform Family Courts across this province. Quite frankly, it is long overdue, and this bill, while it entrenches and accepts the concept of a uniform Family Court, is merely saying, "We will install them in two or three more places across the province." That is not even justice for the people of this province, and in my opinion it's not acceptable.

If this minister is going to have priorities, this should be one of the top priorities. Even if you can't extract another dollar from your Minister of Finance, I encourage you to seek money internally, perhaps even to look at the fee structure of the uniform Family Court. But do whatever is within your means to get it up and running in every single part of this province because, in my opinion, it's a priority. In the opinion of the lawyers of this province, it's a priority. In the opinion of the social workers and the psychologists who work in the uniform Family Court in Hamilton-Wentworth, it should be a priority. Once again, I urge you to do this on a priority basis.

Several weeks ago there was a leaked cabinet document, and that leaked cabinet document indicated what the priorities for this government will be between two weeks ago and the next election. The priority focus is going to be on job creation and economic matters. There was even what some people have called a propaganda strategy in that document: what to say and what to do with all these other issues and all these other ministries to try to appease people.

What we see happening in the Ministry of the Attorney General is a process which is directly following that strategy of slowing everything else down and a policy of trying to make appeasement with people who are interested in and impacted by the justice system.

We have seen over the last number of years, including the whole term of this particular administration, very serious concern about the civil backlog in our courts. I received a call this morning, as a matter of fact, from one of the most prominent litigators in the province of Ontario expressing very serious concern about the backlog in the civil courts.



What we have is the minister setting up a pilot project for alternative dispute resolution, once again limited geographically so there's not evenhanded justice across the province, but it's a pilot project for two years. Our caucus and I have been demanding accelerated implementation of alternative dispute resolution processes to bring the justice system up to speed, and what we have is a pilot project. As far as pilot projects go, it's great. We have excellent people involved. Conceptually it's okay, but it's a pilot project, it's limited for two years and it doesn't impact on any other part of the province except Metropolitan Toronto.

1620

That's not acceptable, when you know and your ministry has known for a long time the problem in the civil courts, the problem of backlog, and that it's a problem province-wide. I refer particularly to the eastern district and the Ottawa area, where there are severe problems. I know the ministry and the judges have been dancing around the subject, and they've been doing the best they can, with the means that are available, to improve the backlog, but it still has not made a significant dent. This government and this Attorney General have to be accountable for that.

We have the task force which is set up to look at the civil backlog in the courts, and again there are excellent people involved in that particular process. But the bureaucrats in the Ministry of the Attorney General know this problem has been nagging and gnawing for the whole life of this government.

**Hon Mrs Boyd:** Not to mention before.

**Mr Chiarelli:** And before. But you're there now and you're accountable now. We hear a lot of blaming of other people and other levels of jurisdiction, but you do have a certain measure of accountability for the period you have been in government.

What we have is a task force set up, involving the Joint Committee on Court Reform. You have had the joint committee report for over a year now, and a year later you're setting up a task force.

People want action. People demand action. People cannot afford to wait through the civil process, and lawyers who have to work in the system feel they cannot effect justice on behalf of their clients. I'll have more to say about that in a couple of minutes.

We have David Agnew setting the agenda for this government and excluding everything except the issues they think are really—

**Mr David Turnbull (York Mills):** On a point of order, Mr Speaker: I believe on this matter it would be appropriate if we had a quorum present to listen to the debate.

**The Acting Speaker:** The honourable member is asking for a quorum call. Is there a quorum present?

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** The honourable member for Ottawa West may resume his participation in the debate.

**Mr Chiarelli:** Just as an aside, Mr Speaker, I used to fondly refer to the previous Attorney General, Mr Hampton, as the Minister of Inertia. It seems now that as a result of this cabinet edict to set aside all the other agenda and to have a propaganda strategy to answer why nothing else is coming forward, we're going to have to refer to this minister as the Minister of Near Inertia, thanks to Mr David Agnew.

But getting back to my points of concern and what has not been addressed by this bill, particularly when the bill looks at the management of the court system, one of the most significant problems—as a matter of fact, it's a crisis right now across the province—is the matter of the family support plan, the system which automatically deducts support payments from one spouse and then sends it out to the receiving spouse.

There is no other issue in the justice system, as far as my caucus is concerned, because I've canvassed it, where there are more complaints from people across the province that the system is absolutely in chaos. On paper it looks great, particularly when the ministry sends out its regular statistics. I think they send out the statistics every quarter, and they show the number of people receiving payments.

Of course, what this government did was dump all the good payors into the system, when they ought not to be there. They slow up the process and they slow up the bureaucrats and the employees in the ministry from being able to address their time and attention to the people who are not paying. So we have people on both sides, the people who are paying support and the people who are receiving support, complaining by the thousands. Indeed, we have the director of the program even saying that it isn't working, and there are quotes here that I can give the minister, if she wants them, from media clippings. He has given briefings and comments to people in the legal profession admitting that the system isn't working.

When you're looking at reorganizing the judges, impacting the court system in certain ways, and you don't even touch this particular issue, in my opinion it's negligence. In the opinion of many people across the province it's negligence on the part of the government not to deal with this issue.

One of my colleagues will be addressing this issue in more detail, and I don't want to say too much more about it, other than Bill 136 could have incorporated some significant changes. The minister might even have considered involving the judges in some way in managing the system or overseeing the system, particularly when you're looking at setting up a uniform Family Court.

The family support system is intimately involved with the uniform Family Court, and you had every opportunity to take this legislative initiative to set up the uniform Family Court province-wide, eventually, and you could have incorporated some dimension of solving the problem with the family support problem. But you chose not to, and I'm sorry to say there are a lot of people in the province who will continue to suffer by reason of your inaction.

Just a very brief reference again on your agenda, or the agenda of the ministry: This bill affects a very small number of people, as I've indicated. There is no dealing with this ministry on any issue in a significant way with safe and secure communities, an issue which is very prominent. What concerns me and my caucus is that we're dealing with Bill 136 now, which probably will be the last legislative initiative of a justice nature by this government before the election, if we're to believe the cabinet document. So there will be precious little legislative initiative on the order of creating more secure communities so that people in Ontario can feel safe on the streets and in their communities.

Again, there's no action on the special investigations unit, the SIU, which has been an ongoing problem.

What I want to refer to, and they impact very significantly on some of the aspects of this legislation, are some survey results I have. A number of months ago, in my role as critic of the Attorney General, I sent out a survey to over 2,500 lawyers across the province. We received close to a 30% return, which was really amazing and surprised us tremendously. I guess, after thinking about it, we ought not to have been that surprised, given the nature of the problems, particularly given the nature of the results.

The survey was headed up "Issues Affecting Legal Practice in Ontario" and it said: "What priorities should lawyers, the Law Society of Upper Canada and/or the Ontario Ministry of the Attorney General be setting for the following issues: (please check one and explain, if desired)?"

It gave them basically four options. It listed 55 issues and then they were to check, "Not a problem; status quo is satisfactory." They could check, "Problem requiring high priority." They could check, "Problem to be dealt with in due course," and there was a provision for comments. There were 11 or 12 issues which impact very directly on the legal profession and the administration of justice, indeed, on the court system.

1630

I want to refer to some of these. The ones I've picked out basically are the areas where they've indicated it's a problem requiring high priority. Very quickly, I want to touch on several of these. Some of them have to do very directly with the legal profession in the province of Ontario, and the minister will be aware that the legal profession in Ontario is a very unhappy profession. It's a profession with a lot of problems. The minister has done very little to solve the problems; indeed, the law society has done very little to solve some of the very significant problems in the legal profession.

Question 10 in the survey, "The number of lawyers admitted to the bar each year in Ontario," that's the issue: 40% indicate problem requiring high priority; 36% status quo is okay; 26% problem to be dealt with in due course. So we have 40% of the lawyers surveyed who responded to this survey indicating there's a problem with the number of lawyers. The minister will know that the medical profession—

**Hon Mrs Boyd:** Too many?

**Mr Chiarelli:** Yes, too many. Obviously too many.

This government deals with the problem of numbers of doctors in the province, and it negotiates up front and it restricts numbers in various ways. The legal profession is running rampant in terms of numbers. It is affecting the economic viability of the profession, and it is therefore impacting very directly on the level and quality of legal service which the people of Ontario are receiving.

Another question, "The economic/business aspects of private practice in Ontario" of lawyers: 48% of the lawyers who responded indicate it's a problem requiring high priority.

"The system of legal aid in Ontario": 67% of the lawyers, problem requiring high priority; 18% are satisfied with the status quo; 15% say it's a problem that should be dealt with in due course.

"The communication and public relations effectiveness of the legal profession in Ontario" doesn't directly affect the ministry, but it certainly goes to the very serious unhappiness of the lawyers in the province. It indicates 42% consider it a high-priority problem.

The next two are really directly on point in terms of the Courts of Justice Act and the types of initiatives which this minister has taken which do not go far enough. The issue is defined as, "The legal system's ability to effect justice for clients." Fully 58% of the lawyers who responded said it's a problem requiring high priority.

This bill does precious little and the ministry is doing precious little concrete action now. There are all kinds of task forces, plannings, pilot projects. The problem is on the ground now and the solutions are in the future, and that's not acceptable any more under the present circumstances.

The next issue defined in the survey is, "The administration of courts in Ontario." That's the issue that's set out or defined, and 66% of the lawyers across the province who responded indicated it's a problem requiring high priority.

The minister is setting up task forces, pilot projects, everything in time while the system crumbles. That's not an acceptable level of response and it's not an acceptable awareness on the part of the ministry of the urgency of a number of the problems that we have.

Another issue on the survey is defined as "Equal access to justice": 47% of the lawyers who responded said that it's a problem requiring high priority. There's also provision for write-in and this issue had so much response it was unbelievable, and it was a whole range. It had to do with legal aid, but surprisingly, what it had to do with was the inaccessible justice system to the average person, the middle-class person, who can't afford the system, can't afford to wait for the system, can't afford to upfront all the fees that are involved in the process.

What we have now is a whole class of people in the province of Ontario who are being excluded from the justice system because they don't qualify for legal aid. The system cannot respond to them today and they don't want to wait for task forces. You have all kinds of means of alternative dispute resolution which you could imple-



ment immediately in many aspects of the administration of justice. You can also give more power to the judges to straighten up the system and the backlog and make it more accessible to the middle class in the province, and you're not doing that.

Another issue, "Level of legal disbursements for court matters": 48% said it's a problem requiring high priority. The minister will know that her government significantly increased fees everywhere, in every ministry, and the Ministry of the Attorney General and the court system certainly was not excluded. So what these lawyers are saying—you can judge from their comments—is, who funds these fees and disbursements while they're waiting five years to get to trial?

There are so many people who had to settle improperly, not being able to make their claim, not getting equal justice, because they couldn't fund the system and they didn't qualify for legal aid. You have not set up a quick system for speedy justice in the province of Ontario. What, at best, has happened is you've stabilized it, the minister has stabilized it, at its present level while task forces go out and do their work.

There are a number of other areas which I won't go into at the present time, but I guess there are one or two I will touch on. It has to do again with the legal profession, keeping in mind it's the legal profession that the public has no choice but to rely on. If they want access to the justice system, they need a lawyer. So if the legal profession is not working properly, people are not getting proper justice.

The issue in this survey is defined as "Psychological and emotional rewards of practising law": 43% who responded said it's a problem requiring high priority. That comes from all kinds of matters, including the fact that they say here it's a high priority that they can't effect justice for their clients.

It's time that a lot of these issues have a much higher priority by this government and this minister.

One other point, and my last point, from this survey which went out to 2,500 lawyers across the province: The issue is defined as "Administrative effectiveness of Ministry of the Attorney General": 36%, over one third of the lawyers represented in this survey, said it's a problem requiring high priority. It's no wonder that the joint committee wants the judges more actively involved in the administration of the courts. It's because the Ministry of the Attorney General is a fat bureaucracy which is not responding, which sees issues in academic terms, which sets up task forces and studies and pilot projects till it's blue in the face, while the lawyers on the ground and the people on the ground who need access to justice aren't getting it.

1640

In conclusion, I will say that we are supporting this bill. It impacts to a very limited extent on the people of this province. I only wish we were here voting on legislation which created more access to justice and a significantly better justice system in the province of Ontario. We haven't seen that legislation.

**The Acting Speaker:** Questions or comments?

**Mr Robert V. Callahan (Brampton South):** I'd like to comment on my colleague's presentation, particularly with reference to the question of the Unified Family Court.

It's interesting to note that many people who have to wait or be jockeyed around or take proceedings in two different courts are suffering from extreme emotional upset. It's a very trying time in their lives. It's probably more upsetting than civil proceedings themselves. The net result is that women particularly sometimes have to find ways to fund it. Sometimes, if they can find a lawyer who's prepared to carry them for a while—it goes on for a considerable period of time. I tell you, Minister, matrimonial situations are fraught with much more danger than criminal trials, and the longer they go on and the longer the parties are denied justice, the heat gets hotter.

We've seen one instance, a tragic instance in Toronto with a lawyer who was shot. I've heard of instances from colleagues of mine where in fact the police had to back them up; they had to come into court and actually protect the lawyers and the participants.

So I submit to you that the Unified Family Court will solve that in some respects. It will put all the eggs in one basket, as it were, and it will create justice for people in this particular area, which is an emotional trauma for anyone where there's a breakup of a marriage, custody of children, access to children and so on. The enlargement of this whole process so that it will eventually be a system that is not just a patchwork quilt—and that's not a criticism of you, Minister—but will in fact do a great deal, go a long way towards maintaining the friendship of these people when they do break up so that the children, who are the real sufferers in these particular situations, don't suffer that greatly.

Justice delayed is justice denied. That's an adage which is wholly true.

**The Acting Speaker:** Further questions or comments? The honourable Attorney General.

**Hon Mrs Boyd:** I'm not going to try to answer all of the comments of my colleague now but will tend to do that during the wrapup. I would remind him, however, that this is the Courts of Justice Act and many of the issues he's raised refer to such acts as the Family Support Plan Act, the Law Society Act, the Legal Aid Act and so on. This is a particular piece of legislation that is directly focused on some changes in the justice system that have been demanded over a long period of time and it's important for the member to understand that this particular piece will be part of the larger picture.

Many of the issues the member raised are issues that do not require legislative change; they require administrative change and management change. In terms of the whole issue of court management, I don't disagree with the issues the member raised about the problems, but the member also has to realize that we've entered into a great many changes in the court system that are meant to remedy those.

For example, our government has entered into the first formal arrangement ever with the Chief Judge of the province and the chief justices to give them the budget

and the personal responsibility over their offices, and we're working together with them to reach mutually satisfactory arrangements for accountability and authority in those areas. The whole issue of alternative dispute mechanism is a good example. We are working with the judiciary to ensure that there's a buy-in by all those who work within the court system. We can only get alternative dispute mechanisms where there is that support and we're working together to build that support.

I'm confident that many of the issues the member raises are well in train and that in fact we will see the results before the end of this government.

**The Acting Speaker:** Further questions or comments? Seeing none, the honourable member for Ottawa West has two minutes in response.

**Mr Chiarelli:** I can accept a lot of the comments the minister has just made. However, I think the nature of the problems in the justice system are such that perhaps we could have had legislation initiated and brought forward which is a little more omnibus in nature, rather than isolated issues dealt with in legislation piecemeal.

I think the minister has to be made aware of the fact that some of these issues are so critical that they need to be fast-tracked and it cannot be business as usual in the Ministry of the Attorney General and in the justice system until we get things up to speed, because the problems get exacerbated probably more quickly than your ability to respond to them at the present time. As I've indicated in the past, what we see is the problems in the justice system developing in geometric progression yet the ministry's response on an arithmetic basis, and they're just getting farther and farther apart.

There are so many issues that need to be dealt with which are critical, and I think there are a lot of people who don't realize how fragile the justice system is becoming in the province. I think people have to be made aware of that, and I wish the minister and the Ministry of the Attorney General would acknowledge it and deal with some matters which are indeed at crisis proportions. They can't be dealt with as business as usual.

**The Acting Speaker:** Further debate?

**Mr Charles Harnick (Willowdale):** It's indeed a pleasure to have the opportunity to debate a justice bill, because over the course of this government's life we've had very few of them before the Legislature. The bill that we have before us now, I agree with the Attorney General, is a very important and very significant piece of legislation.

I'd like to thank the Attorney General for providing us with briefings as the bill developed. I'd like to also thank her for pulling the predecessor of this bill, because, as my colleague from Ottawa mentioned and I reiterate, there were flaws in that bill.

We've had a number of bills from this government in a number of different areas, not just the Attorney General's ministry, where the bill ends up looking so different by the time it gets to committee and there are more and more amendments coming at you that you never really have an opportunity for debate on the bill that is originally presented.

I think the Attorney General has done us all a favour in providing us with a comprehensive package that is going to look, when it's passed, very much the way it looks today. I think that process has certainly been a good process and I appreciate her help and her advice in keeping us informed and involved in this.

It is an important bill. It's an important bill because it deals with a number of very significant areas. It deals with the Unified Family Court, it deals with judicial appointments, it deals with judicial discipline and a number of other housekeeping areas.

I want to try and make some comments about each of these areas, but I want to start at an area that everybody neglects in the justice system. I think it's probably the busiest court in the country, or pretty close to it, and that's the Small Claims Court in the province of Ontario.

The Small Claims Court is a court that is available to citizens in this province where they are encouraged to resolve disputes without necessarily having to incur the cost of a lawyer. Although somewhat of a formal process, it operates now with deputy judges, who are very much volunteers doing a judge's job for a day—I guess they're paid about \$233 a day, less tax—and I am very concerned about how those volunteers, essentially, are being treated by this bill.

I am aware that the Attorney General wants to make sure that if judges misbehave, they are properly disciplined and that there is a process and procedure that is open, accessible, not intimidating, necessarily, to do that. But this bill deals with deputy judges in very much the same way it attempts to deal with other judges, and it creates a very formal process.

1650

When I take a look at section 33 of the bill, it really lays out a procedure that I think is almost like shooting a fly with an elephant gun. It goes way too far. It sets up a Deputy Judges Council. It goes on to say who is on that council. Then it talks about the function of the Deputy Judges Council, "to review and approve standards of conduct for deputy judges...to review and approve a plan for the continuing education of deputy judges...to deal with complaints against deputy judges...." It has a subcommittee. It has an investigative procedure.

It really very much mirrors the discipline procedures for full-time judges. It also goes on to say that if a deputy judge misbehaves, his conduct is grounds for sanctions, and it sets out what those penalties can be. It can be a warning to the judge, a reprimand to the judge, an order that the deputy judge apologize, an order that the deputy judge take specified measures. It can deal with a suspension for up to 30 days—pretty tough when you're a per diem judge and you might do this once a week. It says that you must "inform the deputy judge that his or her appointment will not be renewed" or "direct that no judicial duties...be assigned to the deputy judge."

I don't think that's necessarily bad or wrong, but what concerns me is that you're losing sight of the fact that this court operates with judges who are essentially volunteers. It also, as a court, deals very much with cases at the low monetary end of disputes. A great many of



these cases are \$500 and less. It's significant that you know that cases that are \$500 or less in the Small Claims Court are cases that proceed without a reporter. They are cases that are not appealable. I suspect that they are the bulk of the cases in terms of what the Small Claims Court does. In that setting, how can you have a process that is so formal to deal with judges who are there as volunteers?

If a judge gets into trouble at the Small Claims Court level, he's just going to turn around and say: "Look, I don't want to put up with this craziness of judicial reviews of my performance. I'm just going to walk away. You go find somebody else to do this job for \$233 a day."

I would urge the Attorney General to take a look at these sections, back off and do what has been done up to now in the last few years. I understand that a complaint might be made to the Chief Justice. He refers it to a judge within the General Division who generally oversees what goes on in the Small Claims Court and he deals with the problem in an informal way, because remember, we're not dealing with full-time judges; we're dealing with volunteers. You can't do this to volunteers. It's too onerous.

So please, Attorney General, review that, and let's see some amendments. Let's see at least some common sense in this particular area. I think you've gone too far, and that's going to be detrimental.

Let me just for a moment deal with the judicial council. I don't deny that we need the judicial council and I really don't have any complaints about the form of the judicial council, the makeup of the judicial council and what the judicial council does in terms of a complaint against a judge, as set out in Bill 136. What I am concerned about, and what I think the Attorney General has to be cognizant of, is the fact that we're walking a very fine line when we try to deal with this particular issue of judicial conduct. The fine line we're walking is the line of an Attorney General overseeing judicial conduct by developing an act that suits the Attorney General of the day in terms of controlling a judicial process.

I know how difficult it is for the Attorney General to avoid the political fray and do the other aspect of the Attorney General's job, which is to look after legal affairs of the government. It's a very fine line that has to be walked, and it seems to me that the one fear we can have when we start to deal with formalizing this process to the degree we've now formalized it is that we might intrude on the independence of the judiciary.

I would like the Attorney General at some stage to comment on that aspect of these procedures. I'm not criticizing the Attorney General and alleging that she is in fact usurping the independence of the judiciary, but a statement from the Attorney General about her position in all of this and about turning over control to the judicial council for these matters is very, very important. I think judicial independence is something that everybody in this province cherishes but that we often take for granted.

That leads me to discuss the issue of performance evaluations of judges. I note that the careful wording of the bill says that the Chief Judge "may" implement

performance evaluations of judges. I hope the Chief Judge of this province does not do that.

I don't have any objection to judges taking courses—maybe they're sensitivity courses, legal education courses; they might be courses in how to write better judgements or how to be aware of certain emerging issues of the day—but I really start to wonder about a judge's independence as an individual on the bench when other brother or sister judges are looking over that judge's shoulder. I have some real misgivings about that. I don't have problems with continuing education, but I do have problems with the implementation of performance evaluations.

The Deputy Attorney General's response, when I had a chance to discuss this with him for a few moments, was, "If a judge is doing something wrong and could get into trouble, we really should tell him." I would hope that would happen anyway, without any kind of formal evaluation procedure. That's why we have a Chief Judge and associate chief judges and senior regional judges.

I don't think it's in the guise of judicial evaluation that you warn or advise another judge that they may be on the road to some difficulty because of a quirk in their behaviour or a bias that they are perceived to maybe be showing. But I think you go too far when you start to deal with formal performance evaluations. When you cross that line, I believe judicial independence suffers.

1700

I hope the Attorney General will scrap this aspect of the bill, and if she doesn't, I really hope the Chief Judge and all his or successors will never implement the performance evaluation aspect of this. I think it's wrong, and it's not an answer to say that no one can obtain those evaluations through freedom of information requests. I just think it's fundamentally the wrong thing to do. It gives too much power to the Chief Judge. It gives a power that the Chief Judge was never intended to have. As judges, they are all equals on the bench, and one cannot evaluate the performance of another. I think that's a very wrong concept.

I want to deal for a few moments with the Unified Family Court. I have some concerns about an issue my colleague raised earlier. That is with the infrastructure of the court. The act is completely silent about whether any infrastructure is going to be available. All the act says is that there will be a resource committee in the area where the court happens to be that will look at resources within the community to see how we can make use of those resources.

The Attorney General knows full well that the success of the Unified Family Court in Hamilton has been because that court has offered the human elements necessary to make decision-making in matrimonial issues possible. There's a certain humanity that exists in the Hamilton unified court because of the infrastructure that exists as a backup to the work that court does. There are social workers, there are mediators, there are facilitators. I don't see anything in this bill that is going to make the equivalent resources available as the Unified Family Court expands. I even have a fear that what is now existing in Hamilton will be taken away so that that court

will look like all of the new unified courts as they're being set up.

I have some real concern about that, and I think the Attorney General owes it to those who are concerned about this issue to make a statement about that. What resources are going to be available, what budgeting is going to be available to give this court all the attributes that the successful Unified Family Court in Hamilton already has? It's a very, very important issue. I can tell you that those who work in this court or will be working in this court are very concerned about it.

There's another issue and it deals with the appointment of judges. As I understand it, many of the judges who will be appointed to the expanded Unified Family Court are now judges who are judges of provincial court status doing family law within the jurisdiction of the provincial courts. They are not allowed to deal with matters of divorce and they're not allowed to deal with matters of property division until they become section 96 superior court judges.

I understand that there will be a great number of provincial court judges who will become section 96 judges as the Unified Family Courts are expanded. Those judges, once they become section 96 judges, will now be paid by the federal government. There will be a net saving of probably \$130,000 to \$140,000, if that's close to the salary of a provincial court judge.

**Hon Mrs Boyd:** It's \$124,000.

**Mr Harnick:** It's \$124,000, the Attorney General tells me. I appreciate that. If there are 10 or 20 or 30 judges who are transferred from the provincial bench as provincial judges to superior court judges, the saving to the province will be \$1 million, \$2 million, \$3 million, \$4 million, \$5 million potentially, depending on the number of judges who are transferred from provincial jurisdiction to superior court jurisdiction. I hope the Attorney General will ensure that every penny of that amount of money that is being saved by the provincial treasury will go back into the Unified Family Court system to provide extra infrastructure and resources and startup costs to make this project successful.

I know how many times the government makes savings or collects money from elsewhere and that money ends up going into general revenues, never to be seen again. Here we have what could be a significant sum of money. I think it is incumbent on the Attorney General to tell us that whatever money is going to stay in the provincial coffers, because the federal government is now going to be paying for these judges and not the provincial government, whatever money is saved is going to stay in the Unified Family Court for use in that court. I hope the Attorney General will at least consider what I'm saying and give us that assurance, because I think that could be potentially a significant amount of money once that court is operating in every jurisdiction in the province.

There are a couple of other concerns I have, dealing with the Unified Family Court, and they are probably less obvious than the ones I've discussed so far. One of the fears I have is that when you formalize another superior court you are formalizing a court that in people's minds costs more. Lawyers who do work in superior courts I

think fancy the fact that they're working in a superior court somewhat more than they fancy the fact that they might be working in the provincial court on Jarvis Street.

I would hope the Attorney General will do everything possible to recognize that costs in superior courts tend to be much greater than costs in provincial courts, and that will have an impact on the legal aid plan if more work that traditionally was done in lower courts is now done in a superior court. Sometimes the cost of legal aid expands to deal with the level of court that the work is taking place in.

Far be it for me to ever criticize lawyers for earning too much money, but I think the public, in matrimonial cases, is very conscious of the cost of litigation. If you don't qualify for legal aid, the cost can be astronomical and the cost will rise exponentially with the fact that you're now moving into a superior court. If you don't have legal aid and you're now going to get a lawyer who traditionally does his work in the Supreme Court of Ontario, now called the Ontario Court of Justice, I would hope that costs to those litigants will not rise, particularly to those who are not able to qualify for legal aid, because matrimonial disputes have been known to break many a person. I have a concern about that.

I want to make a couple of brief comments about judicial appointments. I really don't have any objection whatsoever to judicial appointments being on the basis of a formalized, recognized committee that will set up the qualifications that it is looking for in judges, but the quality of the justice system is directly proportional to the quality of the judges who are serving in that system. As much as I believe it's proper for judges to reflect the makeup of the community and the people they serve, it's also every bit as important that merit, qualification and experience be the cornerstones in the way we choose judges. I don't think it's an area where political correctness should lead the way.

1710

What we look for in judges are people of integrity, people of compassion, people who are wise in the ways of the practice of law and in their experience in that regard, and I would urge the judicial appointments committee to ensure that merit is the cornerstone of the way judges are chosen in this province in the future. I know that the Attorney General's department has striven to accomplish that over the last few years, and I'd like to publicly recognize that, but I think we have to be ever vigilant that it remains the case.

There are a couple of other issues that I wish to raise very briefly. The Attorney General, I think quite rightly, says that Ontario has one of the best justice systems in the world, and as a person who's had the opportunity to practice within the justice system, I would agree with that. I would agree with that, but I would also say that doesn't mean the justice system in this province does not have its problems. One of the problems I perceive, and I perceive it from the point of view of being a politician, is that so much of what goes on in the justice system is contrary to what the public would like to see.

I was disturbed when I asked the Attorney General a short time ago about her position on the Young Offenders



Act. I was disturbed when the Attorney General was not prepared to recognize the work that my party had done in going across the province to ask people what they thought about certain justice issues that impact on community safety. At every single stop along the way, we were told that the Young Offenders Act was absolutely the most disgraceful piece of legislation that existed, in either provincial or federal books, anywhere, any time.

I recognize that it's a federal statute. The Attorney General of this province has ample opportunity to ask and to lobby the Minister of Justice in Ottawa to make significant changes to that bill. The Minister of Justice appears to be starting to do that, but I don't see any significant impact on the Minister of Justice from the Attorney General of the province of Ontario. I don't see any desire on the part of the Attorney General to go to Ottawa and reflect what members of the communities across Ontario are telling us. I'm disturbed about that.

I will tell you a story, and it's no secret that I still carry on a bit of a law practice. A client of mine was a student at Ryerson. This particular individual came here from Iran to make a better life for himself. He was working to put himself through school at a Mac's milk store and he was robbed one night at gunpoint. He was robbed, and in the course of the robbery, one of the perpetrators of the crime picked up a litre-and-a-half glass bottle of Coca-Cola and smacked him over the head. He will never work gainfully again. He was the epitome of the victim of crime.

We were able to get a small amount of money, considering the damages he suffered, from the Criminal Injuries Compensation Board, although the Criminal Injuries Compensation Board refused to pay him anything towards his future loss of income, coming to the conclusion that he would have only remained a Mac's milk store worker, and workers' comp was paying him that loss, in spite of the fact that he was a student at Ryerson and on his way to becoming an electrical engineer. That complaint is quite apart from the essence of what's important in this story.

This individual is brain-damaged and he's going to suffer for the rest of his life. I issued a statement of claim and I'm suing the people who injured him. I got a phone call recently from one of those individuals and he said to me, "I got this statement of claim." He was very polite. He said, "I plan to put in a defence, but I just want to let you know one thing." I said, "What's that?" He said, "When this happened, I was a young offender and as a young offender, because I was under 18 at the time that I was involved with this gentleman getting smacked over the head with a litre-and-a-half bottle of Coca-Cola, I bear no responsibility because I'm a young offender."

It struck me, not quite as hard as the bottle that struck my client, that that is the attitude of young offenders in the community today: "Because I'm a young offender, I bear no responsibility for the actions that I've taken and you can't do anything to me." That's what he told me. I can appreciate, as an Attorney General, you may hear stories about what goes on out on the streets, but I don't think you hear stories quite as close to home as that.

Attorney General, I am livid with your attitude in

terms of the way the Young Offenders Act operates in the province of Ontario. I cannot and I will not abide by permitting this act to continue the way it does.

There are stories in the Ottawa Citizen. On April 4, I think it was, there was a story of a 14-year-old on the front page of the Ottawa Citizen. It was a kid talking; he was a student. He wasn't doing very well at school. He was frustrated by the school process and he just decided, "I don't care any more."

He and a few of his friends, for a couple of years, went on a binge of crime. They couldn't have cared less whether they were caught or not, because they only had to face the wrath of the Young Offenders Act. They, too, came to the conclusion that the Young Offenders Act meant that they bear no responsibility for what they do.

I'm going to ask people who are watching today, if you don't like the Young Offenders Act, write me a letter so I can carry them over to the Attorney General and tell her what people in this province are saying. People are concerned. If the Attorney General won't listen to them and won't take their concerns to Ottawa, then the system of justice in this province is breaking down, because the moment we stop listening to what people are saying about the justice system, that's the greatest fear we have.

I know from this bill that the Attorney General says we have to have a judicial council. We have to deal with complaints against judges. We have to have an open process. We have to have a process that is not intimidating. We have to have a process that people can use, that's aboveboard and that shows them that the justice system works. We have to listen to people. That's what people are telling us and that's why we're enacting this kind of a piece of legislation. I say to you, Attorney General, it's the same thing with the Young Offenders Act. It's the same thing. People are telling you and you're not listening. The result is that the justice system is breaking down.

1720

**Mr Gilles Bisson (Cochrane South):** Oh my God, give me a break.

**Mr Harnick:** The member from Cochrane wants a break. He's asking me to give him a break. Do you know that I was in the town of Angus on Wednesday night? The town of Angus is a small hamlet close to Barrie. I was holding a crime forum with the member for Simcoe West. I was absolutely shocked when people there in this small hamlet talked about being afraid to walk on the streets after dark. I had to pinch myself to remind myself that I wasn't in a great big metropolitan area. This was Angus, Ontario.

In Angus, they are livid about the Young Offenders Act. In Thunder Bay, where I also held a crime forum, they're livid about the Young Offenders Act. They're livid about the Young Offenders Act in Metropolitan Toronto. They're livid about it in Cornwall. We've held crime forums there. We've been almost all over the province. We've been to London. They're livid about the Young Offenders Act, and when the Attorney General doesn't listen to those concerns, the system of justice breaks down.

I appreciate that the Attorney General—what's true is true—is very receptive to listening to what the public says about certain issues, and Bill 136 is one of them. I congratulate the Attorney General, but there's another side to it and you have to listen to the fears that people have, fears to live in their own communities, fears in Angus, Ontario, to walk out on the street after dark.

One young lady who was at this crime forum asked me a question. I really couldn't give her a very satisfactory answer, but this is Angus, Ontario, and she said: "We would like the right to carry pepper spray. Why can't we do that? I'd feel much more comfortable if I could carry a can of pepper spray so that if I were accosted, I could pull it out and protect myself." This is Angus, Ontario. I can appreciate the member from Cochrane doesn't like what I'm saying, but these are the concerns of the people of Ontario, and if the justice system is to prevail, then you have to listen to the concerns of the public.

**Mr Anthony Perruzza (Downsview):** If there's anyone who would know the concerns of the public, it would be Charlie Harnick.

**Mr Harnick:** The member for Downsview says if there's anyone that would know the concerns of the public it would be Charlie Harnick. I appreciate the compliment, because I spend a lot of time going from community to community, going across my riding and listening to what people say. I think if my friends across the way, who only want to shout at me because I'm trying to debate Bill 136, did the same things I did, we might have a better justice system.

I also want to talk for a moment about court reorganization. The former Attorney General decided that we needed a single court, and he set up a huge bureaucracy and we now have that single court.

**Hon Mrs Boyd:** The Liberals.

**Mr Harnick:** That Liberal government. I'm sorry. I'm corrected quite properly by the Attorney General. I'm talking about Attorney General Ian Scott, the Liberal Attorney General.

It's very interesting to note that a short time after the creation of that new court that's now called the Ontario Court of Justice, which got rid of every county and district court and amalgamated all of those with the high court, the Supreme Court of Ontario, into the Ontario Court of Justice, the Attorney General has now announced the formation of a committee in conjunction with the Chief Justice to look at the way the civil courts work in the province of Ontario.

If ever there was an indictment of a court system, that's the indictment, because it only took four years or five years from the time that court was set up to already be looking at the fact that the civil aspect of that court is failing. Not only is the civil aspect failing because of cases that aren't proceeding as quickly as they should, and not enough courtrooms and not enough judges, but we also saw the failure of the criminal aspect of the creation of that court when we had 60,000 or 70,000 cases dismissed because of Askov.

I can appreciate, when I speak to the Attorney General about some of these bills that are brought forward, that

the state of the justice system is not the fault of this government. They inherited a system gone amok, and they inherited the system gone amok because the Attorney General of the day, starting in 1985 and going through 1990, did not listen to what people in the legal community were telling him. I urge this Attorney General to listen to the people in the legal community and to listen to the public because, at the end of the day, the public knows best.

I tell you, Attorney General, from the time I spend around the courthouse, the conditions at 361 University Avenue have become appalling. I had the opportunity to tour the jury rooms. They're a disgrace. I've had the opportunity of watching claims being filed in room 110 at 361 University Avenue. The office is a disaster, and morale among the staff who work for the Attorney General is absolutely at the lowest ebb I have ever seen in my life. I have never seen people who have to be serving the public and running our courts who are so unhappy. It's a tragedy, and I hope the Attorney General will visit 361 University Avenue and talk to the people who work in her department and find out what the impact of a middle level of bureaucracy, as created by the Liberal Attorney General, has meant to the operation of a smooth justice system.

No, all the court managers in the world have not made the system work. That's why you're reviewing the civil courts. You're reviewing it because all the managers in the world, who have made the bureaucracy bigger and bigger and bigger, have caused the system to break down faster and faster and faster.

For the life of me, I could never figure out why we have a trial coordinator at 361 University Avenue with an office that runs in a very professional and competent manner in spite of the difficulties with the system, and we have someone on Bay Street who's supposed to be doing the same job. It doesn't make sense. The court system operated without court managers and regional managers for years and years, and it operated better then than it does now.

I can tell you there's nothing so appalling as walking into the Hamilton Court House and seeing a courtroom on the main floor that used to be a courtroom for the public to come to, to resolve their disputes, and a regional manager sitting in it with an office, and nobody knows what the regional manager does. For the life of me, I wish you would just take a look at what you're doing and go back to where you were and start over, because you're just watching the system grind to a halt.

At any rate, I've diverged from my discussion about Bill 136. I suppose it can all be tied back into the Courts of Justice Act, because that's the act that regulates the courts in the province of Ontario and regulates the way trials and disputes are resolved. I hope the Attorney General will listen to some of the suggestions I've made about Bill 136, I hope she'll listen to some of the tangential comments I have had the opportunity of making, and I hope we can get this bill in a form that will be acceptable to the judiciary, the public and the politicians, because if it will help the justice system work more effectively, it's a bill that I think is worth passing.



1730

**Mr Callahan:** I want to address the question the honourable member raised about the reorganization of the courts. I agree that there's been an ever-increasing amount of work for judges in terms of the criminal bar as well as the civil bar, but the net result of that reorganization was to make judges available on a very much more available basis. We now have regions in which judges are available, rather than sitting in a particular county or sitting in Toronto or London, where the pre-existing Supreme Court judges sat. I think the purpose of it was to make justice as available as possible on a timely basis for the citizens of this province.

As in everything, this province is growing rapidly, the major urban centres are growing rapidly, and this of course has put tremendous pressure on the existing case load. I suggest that my friend's comments about the failure of this reorganization by the former Attorney General are most unfair. I suggest to you that the system itself makes sense, that it would make use of the judicial time as well as the crown attorneys' and the court facilities and so on on the best possible basis, but because of the growth of the community and the growth of crime and civil disputes in this province, that has not taken place; also because of the fact that significant further judges have not been appointed or facilities are not available.

The Attorney General came out to Brampton and opened a courthouse, or at least indicated that we will have a shovel in the ground—and I'm relying on you, Attorney—

**Mr Harnick:** How many more courtrooms are you going to have?

**Mr Callahan:** Well, it's not a significant amount, but the best thing, and it was something I always envisaged when we were in government, is that all the courts are brought together to enhance what the Attorney General started: an attempt to put all justice together so you get the best possible results from it.

**Mr Bisson:** I want to touch on the Young Offenders Act. It's an issue the member has every justification in raising as one of concern to the people of Ontario, and all of Canada, for that matter, but I think we need to clarify a little what the Young Offenders Act is and who in the end is responsible.

Yes, as provinces we administer the Young Offenders Act, but we are very much governed by the regulations as set out in the legislation under the federal government. I am speaking to comments that were made by the—excuse me. I thought the Speaker was about to say something.

Just to finish the point, I understand what the member is trying to say around the Young Offenders Act. There are a lot of concerns in terms of how people feel about how the Young Offenders Act works, or doesn't work, in certain circumstances, and the high level of frustration on the part of many people not only within the province of Ontario but all of Canada in regard to that act.

But in fairness, we need to point out that the Young Offenders Act is governed through the House of Com-

mons. It is a federal piece of legislation that, yes, we as provinces administer, but we are very much constrained by how the legislation is written and what we find within the act itself.

I know the member is well aware that this government takes its responsibility in regard to the Young Offenders Act quite seriously and is actually working with the federal government because the federal government has indicated it is prepared to take a look at that issue and to move forward to address some of the concerns the member raises.

To leave the viewers of this debate with the impression that somehow the Attorney General of Ontario can snap her fingers and all of a sudden fix the Young Offenders Act is a very large leap of faith, because the member should know, as I know he does, that it's federal legislation. In the end, we have to have the changes at the federal level to be able to change the act to deal with the concerns he raises. I just wanted to clarify that point.

**The Acting Speaker:** Further questions or comments? Seeing none, the member for Willowdale has two minutes in response.

**Mr Harnick:** There is one matter I want to touch on and it arises out of what the member for Brampton South just said. It's interesting that he talks about the courts being busy and congested and that his government tried to address that issue. One of the ways they tried to address that issue, to tell you how off the mark they were, was that they decided they were going to get rid of all the masters of the Supreme Court of Ontario, and in fact this government is continuing on with that process.

The masters deal with interim procedural arguments as a lawsuit proceeds to the day it goes to trial. This government and the previous Liberal government decided to scrap all these masters who really do all this interlocutory work, this interim proceeding work in Toronto, London, Windsor and Ottawa.

What they've decided to do is get rid of the masters by attrition. As the masters retire, they don't replace them, but every day, at 145 Queen Street, in the city of Toronto, the masters look after some 200 matters every single day. When they're all gone, I want to know, who's going to look after these matters?

The judges are overworked now. There are not enough courtrooms to put them in and all of a sudden they're going to get 150 more issues every day than what they already have and nobody is addressing this problem. I hope that with this committee the Attorney General and the Chief Justice just set up they will look at the issue of masters and will wonder who's going to do this work if these people aren't here, because the judges sure don't have the time and the litigants are having to come back day after day just to get reached on the list because they don't complete the daily lists.

I hope the Attorney General will take note of that as well, and I thank you for the opportunity.

**The Acting Speaker:** Further debate on the second reading of Bill 136?

**Mr Gregory S. Sorbara (York Centre):** I should explain first off why it is I decided to participate in this

debate. For those who are just joining us in the chamber or tuning into these proceedings by way of the parliamentary channel, I just make note that we're debating a rather innocuous, a rather insignificant piece of legislation, in the scheme of things, dealing with some reorganization of some things relating to what the people out there call provincial courts.

If I had to give a title to my speech, I would describe it as a speech about why this Legislature is so often an irrelevant body and why so often the people who elect us are so disappointed with what they hear from us and what we do, in particular in this Legislature. I think this bill, set in this context at this time, gives me an opportunity to make the point as best I can.

Let's just start with a summary of what this piece of legislation does. It amends the Courts of Justice Act. Oh, well, big deal. What does that mean? Firstly, the bill gives the Ontario Judicial Council expanded responsibility for dealing with complaints about provincial judges.

The bill gives the Ontario Judicial Council an opportunity to deal with the ever-increasing number of complaints against provincial judges. It's a very big problem in Ontario these days. People complain about provincial judges and their complaints seem to go nowhere. That's the first thing the bill does.

The second thing the bill does is, "The Chief Judge of the Provincial Division is given power to establish standards of conduct, a plan for continuing education and a program of performance evaluation for provincial judges."

That means that now we've got a Chief Judge of the Provincial Division who has legislative authority to make sure there's a continuing education program and standards of conduct. Again, read something into that, Mr Speaker, about what that means. The government says here, in this legislation, that the standard of conduct of our provincial judges is not sufficient and we want to embody, in the laws of this province, an opportunity for that Chief Judge to set standards of conduct.

1740

Number 3, the Judicial Appointments Advisory Committee, which is charged with screening for new judges, is put into law. We've had this committee for choosing judges for quite a long time. Attorney General Ian Scott set it up. It was a good body. The current minister has continued it and put it into law. That's no change at all; it's just that now it's in the law that it has to be and that's the statutory way of choosing judges, and isn't that great?

Next, number 4, "A framework is provided for the extension throughout Ontario of a Unified Family Court, to be known as the Family Court" of Ontario (General Division). Good stuff, that's fine. Family court matters were being taken care of and now we're going to have this system of Unified Family Courts all across the province, and that's some little bit of reasonable substance. But we don't really do it here; we just establish a framework for doing it as and when it's convenient to do.

Number 5, "A framework agreement dealing with provincial judges' remuneration" is put into the law. Oh,

good. We're dealing with provincial judges' salaries here. Oh, great. This is a problem that people have phoned me about day and night. I get calls at 3 o'clock in the morning, "When are we going to have the law on provincial judges' salaries?" Oh, good. We finally got it here in the law.

Number 6, "A Deputy Judges Council is created to deal with complaints about deputy judges of the Small Claims Court." Oh, good. Now when there are complaints about deputy judges in the Small Claims Court, there's a statutory means by which we can deal with those complaints. More opportunity to complain about judges.

I want to tell my friends in this Legislature what the people in my riding and the people I talk to all across Ontario are complaining about: Not the salary of judges, not whether or not we can get our complaints about judges heard; they are complaining, they are worried, they are terrified about crime. You know it and you know it and you know it and you know it and I know it.

I'm not sure if every bit of that fear that is now gripping Ontario is based on reality, but I know that's what the people are talking to me about. They are worried. Yet when they tune into this Legislature or they come to hear us in the galleries, we're talking about judges' salaries and enhancing the ability of the average citizen to lodge an effective complaint against a judge.

The reason we are seeing this increase in crime in Ontario is certainly not because people don't have an effective way of complaining about the conduct of judges. I don't know what it is. I don't know what's going on out there. I don't know why the shooting in Just Desserts took place a week and two days ago at 11:15 at night. I don't know why that happened. But I know that for me and for so many people who have talked to me since that day, it was like a wake-up call. You listen to the radio and you listen particularly to the phone-in programs and that's what people are talking about.

There's a new fear there and I don't know what to do about it as a legislator. For two or three days after that murder I heard politicians on the radio and I heard people phoning in on the radio and I heard people saying to me, "We've got to do something about this." When I hear that, that's code for me as a politician. When I hear that, I know that's a call to me as a representative of the people to get busy. I know that because when people say to me, when people honestly ask me as a politician, "What are you going to do?" I haven't got an answer. I don't know.

I know that we have a rising crime rate. I know, as the federal Justice minister said today in Ottawa, that fundamentally the administration of justice is all right, but I know that in Ontario at least there is this dramatic increase in the use of firearms, that they have become prevalent in our society, that particularly among young people there is this attraction and allure to violence. We see it in every aspect of our society.

I say to the Attorney General, who is also the minister responsible for women's issues, that I had those responsibilities once and that I understand this increasing violence, not only against women and children but wantonly against someone who just happens to be there. I see it,



you see it, we all see it, and yet we're not doing anything about it. We are talking about judges' salaries here.

The day after that murder in the Just Desserts, I went to my own caucus colleagues and I said, "We've got to do something, because we don't have the answers as a party." I don't think the government caucus has the answer. I don't think the Tories have the answer. I don't think the police commission has the answer. I don't think any of us have got a grip on this stuff yet.

I said to our leader, "Perhaps we could encourage the government to bring together a select committee so at least we could start talking about it in a public way," because often that kind of discussion does give rise to the breakthrough answers. Often it does get us going, at least, in the right direction. It gives people the opportunity to come before their elected representatives and, if not provide the answers, at least express on behalf of their neighbours and their friends and the people in their communities the extent of their fear.

I heard from people in St Catharines, for example, that they're not coming to Toronto any more—they're just not coming. They're not coming to baseball games. They're not coming to the Exhibition. They're not coming to the theatre here. They're not coming. That's not good.

I repeat that it was kind of like a wakeup call. I have my own children and they love to go into the city in the evenings for concerts and to meet their friends, and the extent of my fear and my worry is heightened.

So I suggested to our leader that we encourage the government to bring us all together in a sort of non-partisan way—a select committee we call it; what's that but a group of seven or eight or 10 of us in this Legislature—to hold some public hearings and raise the issue and start talking openly and honestly and consciously about the problems we have.

In fact, on Thursday, April 7, our leader put a question to the Solicitor General. She said, "I raise the issue because I believe we must make sure that as legislators we are doing everything we possibly can to respond to the fears and to the uncertainties that so many people are feeling today."

In her supplementary, she said as follows:

"I would like to ask whether you would refer this issue, the matter of what steps we can take to address this problem, to the standing committee on justice on an emergency basis so that all three parties can determine what indeed we, as legislators here in the province of Ontario, can do to help people feel safe in their homes and in their neighbourhoods. Will you agree to make the referral so that we can respond to the growing concerns about violent crime in our neighbourhoods?"

That was a week and a half ago. I don't know what's been going on since then. I ask, on a regular basis, my own House leader and anyone who meets in those councils as to what the agenda for us as legislators is going to be, whether we're going to have the committee. That's the one I want to be at. That's the one that I'm concerned about. That's the one where I, as a legislator and as a representative and a politician, would like to devote my energies and my time.

I don't know what the answer is, but I know we have a problem out there and I don't believe it's just better gun control measures and I don't believe that it's just amendments to the Young Offenders Act and I don't believe that it's just more judges and I'm not sure that it's just more police officers, but I think it might be.

I'm not sure what the answer is and the people in my riding are knocking at my door and calling my office and saying: "You have a responsibility to start to deal with this. That's the very kind of thing that is your duty as a legislator."

1750

What are we doing here this afternoon? We're debating a bill that deals with judges' salaries and how to more effectively complain about provincial court judges' conduct, sets up a system so that the Chief Judge can create standards of conduct, and provides a framework to one day create unified courts all over Ontario.

I'm not so much criticizing the Attorney General for bringing this bill forward; I know these things work their way through the system. I'm just taking this opportunity to somehow plead, on behalf of the people who have been pleading to me, to get these issues dealt with quickly and get on with those other issues.

I've been saying: "Let's have a select committee. That's the way in which we deal with matters of urgent importance." I know that one more death, one more shooting, one more murder, isn't an emergency; that somehow those who accuse us of turning our back on the other murders, the murders that happen in domestic disputes and the murders that happen in the booze cans that operate all night long and the murders that happen on the edges of the drug deals—"How come you weren't concerned then? It's just because the café that your kids go to is the venue. That's why you're concerned." Well, I accept that criticism and I ask people to forgive me for the fact that we haven't raised it sooner.

But we are having gangs breaking into people's houses in the evening. It's not burglary any more. It's not sneaking in and taking when no one's home. It's rapping at the door and bursting in and humiliating and terrifying people. That's new and that's different and that's urgent, and we should be dealing with it, rather than judges' salaries.

So I'm using this debate on an issue dealing with judges' salaries to say, "Please, let us set up that forum," because, number one, it is important, and it becomes increasingly important. It's important for so many reasons.

I have this terrible concern that we are going to, in our society—because the accused in the Just Desserts café happened to be someone with a black skin, I know, in fact, that for thousands of people out there, they have now fixed in their head that crime in Toronto, in Ontario, is a black problem. We've got an obligation as legislators to make sure that those ideas do not take hold in the minds of the people of Ontario. We must do that.

We, as legislators, have an obligation to get the irrelevant stuff aside, get the judges' salaries stuff aside and get the standards of conduct stuff aside and get enhanced

complaints about the provincial court judges aside, get rid of it—those are not priorities—and to get on with the priorities. Because if we don't, then those who say that what we talk about is irrelevant and what we do is insignificant and, "You people are so insulated from what is really happening in Ontario," those accusations hit home.

I don't know if we are ever going to have those hearings. My own suggestion to my leader was that if the Premier or the Attorney General or the Solicitor General did not want to create that kind of forum for discussion, we should do it ourselves as a party. I don't know if we're going to do it as a party. The Tories say they've already done it and they've got all their answers in their silly little brochures about setting a new course, or whatever it's called. That's the worst of all. When you say you've got all the answers, "You just have to read our book," that, to me, is closing your eyes to it.

If we have a frank discussion, we know that this is a problem. It's a serious problem, and we've got to get on with that discussion.

In order to direct our energies and the power of the Legislature and the power of a standing committee to the thing that for obvious reasons is gripping the people of Ontario, I simply tell my friend the Attorney General that I have no problem in voting for her bill. That's easy. I have real problems with the fact that in the face of the events of the past couple of weeks and the quantum increase in and very real concern about crime, we have yet to do anything here in this Legislature or in our committees or in government, for that matter, to respond. That's our real obligation, and I hope we might take up that challenge and fulfil those obligations.

It being five minutes to 6 of the clock and knowing that the business of the House has to be stated before we adjourn at 6 o'clock and knowing that there may be some questions and comments, I'll complete my remarks now.

**Mr Callahan:** I think my colleague elevates the debate on this to an issue that perhaps isn't directly related to the bill itself, but elevates it to the point where this is a very important issue. This is one of the most important issues in which this Legislature, as he has said and I would say, is to be looked upon as being an effective tool in trying to protect society, and there should in fact be a non-partisan committee. It's an opportunity for us to come together in a non-partisan way by a select committee. I would certainly want to serve on that, because this is a significant concern not just to people in Toronto but a significant concern to citizens throughout this province in terms of being able to walk the streets safely after dark, of being able, as my colleague said, to live safely in their homes. The old adage of England that your home is your castle doesn't seem to be the case any more.

We're seeing things such as drive-by shootings. It's amazing. I saw in the press recently where the press is going to police violence in their television programs and in their newspapers. Perhaps what we should be doing is turning off the television set when we get those wacko programs from the US or indications from the US of the things they're doing, the fact that you get shot if you happen to cut somebody off on the road. That's going to

come to Ontario, because for some reason we have a great love affair with the United States, and everything we see there as being trendy we emulate. The young people emulate that in terms of the way they dress, in terms of the statements they're making.

I was at a conference the other day at Cardinal Leger high school which was on racism, and the panel was amazed to hear two young people come before them who had Iron Cross rings on which represent, for those of us who can remember the Second World War, the Holocaust and all sorts of other things. These kids did not think that. They were wearing it because it was cool jewellery. Well, whoever sold it to them knew what it was for. We've got to get to that issue, and I think that's what a select committee could do.

**Mr Turnbull:** The only reason I'm making any comments about the member for York Centre's debate is his closing comment where he referred to "our silly little book which claims to have all the answers." That is intellectual dishonesty. There has never, ever been any suggestion by our party that we have all the answers, but we have at least listened to the people. We have gone around the province and listened to literally hundreds of people who have expert knowledge, and also people who have suffered from crimes. They put forward their views, and we have come forward with a set of recommendations. We're not hiding behind what the polls are saying at the moment. What we are doing is that we're saying, practically, what we believe would improve the quality of life in this province.

When you talk about silly books, talk about the latest silly book the Liberals brought out, in which they said they were going to reduce half the red tape. They're not going to reduce all the red tape. Red tape, as far as I understood, was the unnecessary paperwork, not the essential, useful paperwork of government. But they're going to reduce half of the red tape. That's what the contribution of the Liberals is instead of talking about real, serious concerns that the electorate have and coming forward and having the guts to say what you would do, in the knowledge that you may have some people who don't like what you're saying.

But at least we're prepared to put a platform forward. I think that is the difference between the Liberals and the NDP and the Conservatives. At least the NDP and the Conservatives are prepared to say what they will do. They may not agree, and we may have different ways of achieving different things, but at least we are prepared to say what we will do. The Liberals look at the polls perpetually and come out with their silly little books after they see that somebody else is doing a job.

**The Acting Speaker:** Further questions or comments? The member for York Centre has two minutes in response.

**Mr Sorbara:** Very briefly, I want to remark to my friend the member for York Mills and I guess apologize for referring to it as a silly little book.

My problem was simply this: In the face of our call for a select committee of Parliament to look at the issue of crime, the response of the member for Nipissing, Mike Harris, the leader of the Conservative Party, simply



suggested that there was no need for hearings, that that didn't have to be done. "All of the answers," he said, and went like that, "are right here in New Directions, Volume Three, and you just have to read that and you'll see what the solution is."

To me, that's making politics out of it, and that was wrong. Obviously, all the answers aren't there. We've all looked at it and there are some interesting ideas—I concede to my friend that there are some interesting ideas—but all the answers aren't there.

If we as legislators would get down to work and start to look at the issue, we wouldn't come up with all the answers either, but we might just come up with two or three initiatives we could implement and get ourselves on the road to safer and more secure communities. That's the plea of my speech today, sir. With that, I would move adjournment of the debate.

**The Acting Speaker:** It being 6 o'clock, would the government House leader have an outline for next week's legislative schedule?

#### BUSINESS OF THE HOUSE

**Hon Brian A. Charlton (Government House Leader):** Yes, I do. Pursuant to standing order 55, I wish to indicate the business of the House for the coming week.

On Monday, April 25, we will begin second reading of Bill 146, the corporations tax act.

On Tuesday, April 26, we will give third reading consideration to Bill 143, Ottawa-Carleton. Following the vote on that, we will resume second reading of Bill 110, the employer health tax act, and Bill 138, the retail sales tax act.

Wednesday, April 27, we will give committee of the whole consideration to Bill 120, the residents' rights bill.

On the morning of Thursday, April 28, during private members' public business, we will consider ballot item 51, second reading of Bill 114, standing in the name of Mr Stockwell, and ballot item number 52, a resolution standing in the name of Mr O'Connor. On Thursday afternoon, we will continue second reading consideration of Bill 136, the courts of justice act.

**The Acting Speaker (Mr Noble Villeneuve):** As we close down the Legislature this afternoon, I want to thank our hardworking pages. Very dedicated they have been. They have just spent their last day here at the Legislature, and may they enjoy a safe return home and may they return to visit us again.

It being past 6 of the clock, this House stands adjourned until Monday, April 25, at 1:30 pm.

The House adjourned at 1803.

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# Legislative Assembly of Ontario

Third Session, 35th Parliament

# Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

## Official Report of Debates (Hansard)

Monday 25 April 1994

## Journal des débats (Hansard)

Lundi 25 avril 1994



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers

*50th anniversary*

*1944–1994*

*50<sup>e</sup> anniversaire*

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 25 April 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 25 avril 1994

The House met at 1333.

Prayers.

## MEMBERS' STATEMENTS

### ANNIVERSARY OF ARMENIAN GENOCIDE

**Mrs Elinor Caplan (Oriole):** Yesterday, April 24, marked the 79th anniversary of the Armenian genocide. On April 24, 1915, the Armenian intellectuals were deported and mass killings began. Over 1.5 million Armenian people died in the genocide.

Today I will share with this House a section of Rev Avak Avakian's memoirs which was read by Natalie Jigerjian at this year's genocide commemoration at the Armenian Community Centre in the riding of Oriole.

"The year was 1918. My entire existence on earth had not spanned more than a decade. In those 10 years, I had seen much death and destruction, horrific memories that would haunt me till my dying days.

"On the eve of the beginning phases of the genocide, all the men in my family had been murdered. Our family was left without resources, protection or dignity."

Rev Avakian continues to tell how at age 10 he became the breadwinner of his family. One day he had to find food for his dying sister. As he was assisting her, a group of Turkish soldiers swept her away. He followed the carriage which held his sister to the outskirts of the town.

"As I ran, the carriage began pulling further and further away from me, and finally in the distance, hidden amidst trees, it stopped. The soldiers began unloading the bodies.

"Soon after they left, I approached the pit. It was an unimaginable hell full of bodies—I could hear groans and meek cries for help but I was powerless to do anything. The pit was deep and dark. I tried to find my sister, at the same time trying to figure out how to pull her out, when all of a sudden I saw her. My heart jumped for I saw that she was looking at me and she stirred and tried to reach me....

"And now, 70 years later, as I try to recall the memories of those years, I'm haunted by my sister's eyes, her beautiful dark Armenian eyes."

On the anniversary of this tragedy in Armenian history, I rise in this House on behalf of my constituents to remember the people who lost their lives and grieve with their families who are dedicated to keeping their memories alive.

### TRANSPORTATION STUDY

**Mr David Turnbull (York Mills):** The NDP government has been fiscally irresponsible. A perfect example of frivolous government spending is the Ministry of Transportation's expenditures on the Wally Majesky

report, the human resource planning audit of Ontario public transit.

When this unsolicited, untendered MTO contract was awarded in November 1991 to Wally Majesky of FP Labour Consultants, the firm on retainer with the Amalgamated Transit Union, it was billed as a 12-month project which would cost the taxpayers \$160,000. The report was finally released last week, about a year and a half after the original deadline. The final cost of the project is not yet known, but for some strange reason the public is now being asked to foot the bill for the printing of the report, replete with anti-private-sector cartoons and photos of Wally and his son.

Ministry staff warned in 1991 that the Majesky report would duplicate existing information. This has proven to be correct. MTO staff also had to assist the consultant in writing the final report. It's absurd that Ontario taxpayers have paid almost \$200,000 for the Majeskys to travel the province and then take remedial writing classes from MTO staff.

One of the key Majesky recommendations is for the province to convene a major transit industry symposium by the end of 1994. After two years touring transit facilities and meeting with stakeholders, it is unacceptable that the primary recommendation is to have another meeting.

### VIOLENCE AGAINST WOMEN

**Ms Margaret H. Harrington (Niagara Falls):** Tomorrow, Men Walking Against Male Violence will be coming to Niagara Falls. These men are walking from Windsor to Toronto with a message, a profound message. I quote:

"Male violence is a wide range of actions, both personal and institutional, which oppress women in order to maintain a world of gender privilege and power. Violence can be physical, emotional or verbal. It also includes economic and cultural violence which are institutionally maintained to deny women full human rights.

"Patriarchal privilege is a system of power relationships to endorse this oppression, and cuts across many cultures. Our maleness is so deeply based upon this domination that we are literally lost and threatened without it. It is only the changing of this system of power that will bring about the end of male violence.

"The walkers come from an activist tradition which has opposed war, apartheid, First World intervention in the Third World and oppression of aboriginal people. Within that tradition, we must walk against male violence."

I thank all the young people from St Michael's High School who will be involved in the walk on Wednesday morning, as I will, and also my local labour council in Niagara Falls for organizing this event. I want to encourage everyone to be involved.

1340

## ELECTIONS IN SOUTH AFRICA

**Mr Alvin Curling (Scarborough North):** Today is the eve of South Africa's general election. It will end one of the most repressive situations in the world. Twenty-three million people will be given the opportunity of exercising their basic democratic right, the right to vote. Thousands of people have lost their lives, and even today people continue to lose their lives so that their basic necessities be addressed.

But before we start celebrating this great democratic achievement on April 29, the lives of those who were deprived will not be changed in any visible way.

The policy of apartheid which was established in 1913 was the crudest form of racism, and the damage it has done to the lives of millions of blacks will take years to repair.

We are all aware that slavery was abolished over a hundred years ago, and yet we continue to this day to make anti-discriminatory laws providing protection for those who have been shut out of the mainstream. Blacks today continue to feel the brunt of poverty and be denied the opportunity for fair access to employment because of the colour of their skin.

The atrocity of the Nazis in the Second World War ended 50 years ago and victims of this brutal era continue to be subjected to malicious attacks and abuses by individuals committed to hate crimes. Women in our society, although given the right to vote and to participate in our society, are often treated as second-class citizens.

Before we take the trumpets and bugles out, we must ask ourselves as Canadians, are we committed to assist and support the dreams and aspirations of the millions of South Africans who were denied for so long to exist as human beings?

## WASTE DISPOSAL

**Mr David Tilson (Dufferin-Peel):** I have stood in this House on many occasions and have asked the Minister of the Environment to reconsider his stand on refusing to study all the alternatives to the waste management problem.

The minister has blamed the federal government for not closing the border to the United States and for not implementing a garbage tax. He has said he is not responsible for decisions made by the Interim Waste Authority. Minister, you are responsible. Your government set up the Interim Waste Authority and gave it the dictatorial power it is now using against the residents of Caledon, Durham and Vaughan.

If the Minister of the Environment is so opposed to Ontario municipal waste going south, perhaps he can explain to members of the Legislature why he is issuing certificates of approval to municipalities that allow them to ship their waste to the United States and other Canadian provinces.

I have a copy of a certificate of approval issued by the Minister of the Environment last year that states, "Any waste requiring disposal shall only be disposed of at a ministry approved site in Ontario or at a United States or Canadian facility licensed or certified to accept such

waste by the appropriate governmental agency."

The minister is saying one thing in this House and doing something else back at the office. It's time for the minister to deal with the reality that says that waste management is an issue that should not be clouded by ideological philosophy, but rather that there should be an informed debate and a decision based on the facts.

## TOUCHSTONE YOUTH CENTRE

**Mr Gary Malkowski (York East):** The Touchstone Youth Centre, an emergency shelter for homeless youths in my riding, has been quite busy lately in its pursuit for meeting the needs of youth in York East.

Last Saturday I participated in a well-attended Monte Carlo night that was held at the York Banquet Hall. It was a very successful evening. One of the things the proceeds from this fund-raiser will help support is a recreational program that the centre is initiating.

The centre has long been aware of the need for a recreational program to provide physical activities and arts and crafts to the disadvantaged young people in our neighbourhoods. Their arts and crafts program will hold instructed workshops in the areas of painting, sewing, cooking and crafts on a weekly basis. The physical fitness program will include activities such as basketball, baseball, tennis, road hockey, badminton, soccer, volleyball, fitness, t'ai chi, yoga, table tennis and cycling.

I am pleased to announce that our government, through the Ministry of Culture, Tourism and Recreation, has provided a grant in the amount of \$22,679 towards the startup costs of this recreational program. With our help, the centre feels confident that it is capable of becoming self-sufficient in the management of a long-term recreation program. I commend the Touchstone Youth Centre for this and many other achievements.

## EMPLOYMENT EQUITY

**Mr Gregory S. Sorbara (York Centre):** I am rising to congratulate all those good people who joined in the fight to save the jobs of some 90 court officers, commissioners, who were threatened with expulsion from the courts at the hands of a rather cold-hearted New Democratic Party government.

As you will recall, these court officers, virtually all of them senior citizens from age 60 to 80, were going to be thrown out of work for some unknown reason. The expense was not a great expense. Their jobs were important and people really all over the greater Toronto area, under the leadership of a variety of people, including a couple of journalists, fought to have those jobs saved.

The good news isn't perfect news. Apparently those over 75 are going to be summarily dismissed, again for no apparent reason. The saving is not great. But those 65 to 75 have been, as the expression goes, grandfathered and will be allowed to stay in their jobs for another four years. This is just another example of where the power of the people, when it has good substance and can speak strongly, can overcome even the most arbitrary initiatives of government. I think it's incumbent upon us to congratulate them and to wonder publicly why ever the Attorney General of this province wanted to do those fellows out of their jobs.



## ONTARIO FILM REVIEW BOARD

**Mrs Margaret Marland (Mississauga South):** I call on the Minister of Consumer and Commercial Relations to hold a review of the Theatres Act and a public inquiry into the Ontario Film Review Board.

Recently, the minister said the OFRB is almost obsolete because of new technologies that are beyond the province's control, such as video channels, computer games and virtual reality.

The minister may be unable to control the development of new technologies, but she can regulate many of them. For instance, as the member for Waterloo North proposed, the Ontario government could amend the Theatres Act to regulate not only films, but also computer and video games.

Recently, the OFRB has been the centre of controversy. For instance, last spring the board wanted to loosen its guidelines for adult sex films. Only after public outcry did the board back down.

I have called for a review of the OFRB and the Theatres Act many times. Now is an ideal time for a review, since the chair of the board has resigned and several members' terms are about to expire.

Minister, last week you said, about the new technology depicting violence and pornography, and I quote, "We'd better...start coming up with ways to deal with it before we do lose control of it." Exactly, Madam Minister. Get on with your job: Replace the Theatres Act and the Ontario Film Review Board.

## SCHOOL FACILITIES

**Mr Mark Morrow (Wentworth East):** The people of Wentworth east, and specifically Stoney Creek Mountain, are hoping the Minister of Education and Training is going to announce funding for a new high school during this session.

In 1991, the Honourable Tony Silipo, then the Minister of Education, approved the purchase of land at the corner of Highway 20 and Highland Road. The Wentworth County Board of Education and the residents have been waiting since then for them to begin construction. They are still waiting.

With the cost of busing to the lower city and sending students to the Hamilton Board of Education schools, a new school would save Wentworth county taxpayers about \$900,000 a year. With Saltfleet High School badly in need of repairs, at an estimated cost of between \$8 million and \$10 million, I think it would be more economical in the long run to build a high school on the proposed location.

We are not talking about a few things that need fixing in Saltfleet, but a major overhaul to repair plumbing and health-related issues. The community of Heritage Green sees a new high school as a resource for the whole neighbourhood, with its isolated nature and lack of community focus. A new high school could inject vitality into the area in which everyone could benefit under this government: lifelong training by people trying to enter the workforce for the first time and others who need upgrading to prepare for the year 2000, a major priority.

The residents of Heritage Green need a facility for this

to take place. I implore the Minister of Education to approve the request by the Wentworth County Board of Education for a new high school in this community.

## VISITOR

**The Speaker (Hon David Warner):** I invite all members to join me in welcoming to our chamber this afternoon, seated in the Speaker's gallery, Mr Maris Gailis, the Deputy Prime Minister and Minister of State Reform from Latvia. Welcome.

1350

## LEGISLATIVE PAGES

**The Speaker (Hon David Warner):** I would also ask all members to join me in welcoming the 17th group of pages to serve in the third session of the 35th Parliament: Matthew Bassani, Lawrence; Brigid Brown, Perth; Jeremy Chambers, Norfolk; Michael Chicoine, Durham Centre; Benjamin Deacon, Cambridge; Michelle Drylie, Mississauga South; Dominik Ken, Ottawa East; Olivia Landry, Prince Edward-Lennox-South Hastings; Jason Leong, Fort York; Heidi Machina, Essex-Kent; Riley McComb, Sault Ste Marie; Dilhan Mills, Scarborough-Ellesmere; Erin Murch, Parry Sound; Marion Murphy, Windsor-Walkerville; Heather O'Keefe, Etobicoke-Lakeshore; Jonathan Quick, Eglinton; Bronwyn Rayfield, Carleton East; Joseph Reitano, Durham East; Ryan Shelly, Prescott and Russell; Benjamin Speers, Brant-Haldimand; Denise Stoter, Hastings-Peterborough; Lisa Walters, Oshawa; Melanie Winfield, Lake Nipigon; Matthew Wiper, Essex South. Please welcome our latest group of pages.

## ORAL QUESTIONS

## VIOLENCE

**Mr Sean G. Conway (Renfrew North):** When I last left this Legislature on Thursday of last week, we were talking about law and order, crime and punishment. In the absence of the Premier, in the absence of the Solicitor General and in the absence of the Attorney General, I will ask the acting Premier or the acting minister of justice or the acting Solicitor General.

*Interjections.*

**Mr Conway:** Let me be clear. I am asking a deadly serious question. I have in my hands today the front pages of the Chatham Daily News and the Windsor Star. All of Ontario and certainly Chatham, Ontario, were shocked and horrified to awaken on Sunday to find out that a little boy of seven years of age was bludgeoned to death in that southwestern Ontario community.

I ask the government of Ontario, whomsoever chooses to act, can you tell us what you know about the circumstances of that horrible crime in southwestern Ontario last weekend?

**Hon Floyd Laughren (Deputy Premier):** I would be the last one to trivialize an issue like this or to treat it in a partisan nature in any way whatsoever. I would simply say to the acting leader of the official opposition that we do take these matters as seriously as any government should be expected to take them and do what we can to prevent these matters in the future.

I think the acting leader would know that there has been an offer by the government—it has already happened, I understand—to sit down with the House leaders

of the other two parties to work out some of the details on an all-party committee that would help us wrestle with these very, very difficult and painful situations.

**Mr Conway:** If there is a concern evident in my voice it's because my constituents, and I've got to believe everyone's constituents, are increasingly horrified about what we hear on a daily basis. This crime in Chatham is among the most heinous that I have seen in my time in this place.

There has been a lot of debate. A few days ago, I was recommending on behalf of the Liberal Party some modest proposals as to what we might do: better control of ammunition, tougher sentencing, no plea-bargaining around gun-related offences.

**Mr Charles Harnick (Willowdale):** That sounds like the Reform Party.

**Mr Conway:** I want to say to anybody who wants to interject, the people whom I represent, of all political parties, are concerned about safe and secure communities.

My question to the government is, what can you tell us today specifically is the plan of your government to deal with the growing concern across the province about the kind of crime that we saw again this weekend? What specifically can we expect and when by way of a government response to this kind of criminal activity and the growing concern across the province about it?

**Hon Mr Laughren:** Without in any sense being flippant in my response, I know the acting leader would understand that there are no instant solutions to a culture of violence that exists in some people. For us to snap our fingers and say, "This is the response and this is how we're going to solve the problem," would not convince the member opposite, nor should it.

I think what people want in the province is a reasoned response, one that crosses party lines, one that does not engage in any kind of partisanship or histrionics but simply asks the politicians at the federal and provincial level—I don't believe that on a matter like this the province or, as I heard someone suggest, even a city should act independently of the direction in which we should be moving.

I would hope that the all-party committee could come to grips with what it is it wants to deal with in terms of an agenda and the issues that we will wrestle with, that there will be a good working relationship, and I see no reason why not, with the federal government, which has a large responsibility in this area.

That's not a question of passing the buck to somebody else; it's a question of recognizing legitimate jurisdictional responsibilities that are there now and have been there for some time. I would hope that by sitting down together, both those of us in this assembly and with the federal government, and quite frankly with the municipalities as well, we're able to deal with some of the issues raised by the honourable member.

**Mr Conway:** Let me be clear. I accept what my friend is saying, that there are no magical cures to this systemic problem that apparently is seizing the nation. My colleagues, I think, would quickly agree that there is no magic solution.

But the people of Ontario, and let me tell you, today in Chatham and Windsor and elsewhere, the mothers and fathers of young people, want to know, what is the government's plan specifically? What do you propose to do, how do you propose to move forward and on the basis of what kind of timetable? Those are the questions that cry out for some response, and once again I put that to the minister.

**Hon Mr Laughren:** I'm a little uneasy with some of the language being used by the member for Renfrew North, and this once again is not meant to trivialize the enormity of the issue, but simply to imply that suddenly we have a new culture of violence that's sweeping the nation I think is not to put it in its proper perspective. The federal Minister of Justice I think stood back from the issue just last week and made what I thought were some reasoned and measured remarks on this matter.

I would simply say to the acting leader of the official opposition that we do want to work on this. Nobody can be anything but appalled when these incidents happen, and we all will be working together on it. I don't think any one government or any one minister has the answer to all of these issues, but I do think the answer will be coming together with the various levels of government. I very, very much hope, by the way, that the all-party committee in this assembly is able to reach an agreement on what the issues are with which we should be dealing.

#### GOVERNMENT SPENDING

**Mr Sean G. Conway (Renfrew North):** A new question to the Minister of Health, and it concerns Houselink, that happy world that has been audited, and with no thanks to the government of Ontario. Houselink, a community-based, not-for-profit housing organization here in Metropolitan Toronto, has been audited by the provincial government, and I've had the opportunity in recent days to look at the audit that was leaked to the public, again not to any credit of the minister.

To the Minister of Health: Having read this audit, what a swamp. What a swamp of inappropriate, unauthorized expenditures of scarce public dollars in the hundreds and millions of dollars: inappropriate expense claims, foreign trips, antique purchases—

1400

**Hon Ed Philip (Minister of Municipal Affairs):** When did that happen?

**Mr Conway:** When did it happen?

**Hon Gilles Pouliot (Minister of Transportation and Minister Responsible for Francophone Affairs):** Go back. What was the year?

**Mr Conway:** This audit was ordered by the previous government in 1990. The audit was returned to the new government in the fall of 1990, and this government sat on this incredible report for years.

**Mr James J. Bradley (St Catharines):** Why?

**Mr Conway:** And the question is why. But my first question is, Minister, can you tell us specifically how you have dealt with a number of the extraordinary and incredible maladministrations reported in this audit?

**Hon Ruth Grier (Minister of Health):** I'd be happy



to, because, as the member has identified of course, the years in which this organization was behaving inappropriately were the years in which the party of which the member is a member was in office. Yes, the audit was ordered, but the audit in draft form was received in October 1990; the final audit was received in October 1991.

In the course of that period the ministry working with the agency identified surplus funds which had not been spent and identified expenditures which had been made which would have been approved had approval been sought as it ought to have been. As a result of that discussion and process, the ministry recovered \$1,735,775.00.

**Mr Conway:** My information from reading this audit would suggest that hundreds of thousands of dollars is still outstanding, and the question is, what's happened to those moneys?

When you look at this audit and you see this incredible behaviour, you ask yourself the question, why were the police not called in to pursue at least the prospect of a police investigation and some charges? Because you have to believe that in this day and age, if any accountable public servant spent or caused money to be spent in this fashion, it would be of some real interest to police authorities. That was not done, apparently.

Is the Minister of Health aware that the legal counsel to this group called Houselink, this community-based organization that has been responsible for some of this outrageous and indefensible behaviour, is none other than the husband of her chief of staff, that Houselink's lawyer is a certain Mr Bruce Lewis, who is none other than the spouse of Mary Lewis, your chief of staff?

**Hon Mrs Grier:** I think it's important that we all be aware of the chronology of the events that are being discussed with respect to Houselink. The inappropriate allocation of funds occurred between 1988 and 1990. The audit finally was received in October 1991. The funds were recovered. The executive director ceased her employment with the organization; a new director was hired in March 1992. Since that time, yes, I am aware, that the legal firm and the lawyer is the spouse of my chief of staff.

I can assure the member that there is no conflict of interest. My chief of staff was not involved in any way prior to the time when in fact the events took place and has not discussed the matter with me since the matter came to my attention.

**Mr Conway:** The hard-pressed taxpayers of Ontario would read this audit and be left speechless. They would say to the—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Conway:** Let me be clear. I submit that any maladministration, any malfeasance, irrespective of when it occurred, should be pursued and, if necessary, prosecuted to the full extent.

Our government ordered this audit because of some concern. The audit came in and it paints a picture of incredible maladministration—

**Hon Fred Wilson (Minister without Portfolio and**

**Chief Government Whip):** All under the Liberals.

**The Speaker:** Order.

**Mr Conway:** —a swamp in which millions of dollars were inappropriately handled and hundreds of thousands of dollars are not yet accounted for.

**Hon Mr Wilson:** Well, you should have been worried then. You didn't seem to have been worried then.

**Mr Conway:** You say: "Why was there no stronger action? Why were the police not called in?" Quite frankly, I worry a lot about a situation—when faced with this kind of a report, we have a situation that the lawyer—

*Interjection.*

**The Speaker:** Order, the member for Sarnia.

**Mr Conway:** —for the group under scrutiny, under investigation, is married to the chief of staff of the minister who is one of the principal funding agencies.

In light of this revelation, will the minister immediately submit this matter to the public accounts committee so there can be a full and independent investigation into the circumstances that gave rise to this incredible maladministration and misappropriation of public funds?

**Hon Mrs Grier:** Let me point out to the member that the taxpayers of this province took action about the incredible maladministration of this and many other agencies: They changed the government.

Let me also remind him, as he sets up straw men and then attempts to pull them down, that what was found by the audit was the allegation that the agency had \$2.1 million of unspent funds, which it recommended the ministry recover. The ministry sat down with the agency and identified that \$1.7 million ought to be recovered; \$440,000 was in fact appropriate to cover expenditures that had been made. So the ministry recovered \$1.7 million; \$1.7 million plus \$400,000 equals \$2.1 million, which was the amount of money the auditor found allegedly in an unspent fund.

**Mr Michael D. Harris (Nipissing):** I would like to follow up with the Ministry of Housing concerning this growing scandal at Houselink during the final two years of the previous Liberal government.

Minister, it is my understanding that both your ministry and the Ministry of Health have conducted special audits of Houselink's mismanagement and misuse of public funds. The audit prepared by the Ministry of Health was finally made public last week; not voluntarily, I might add, but it was finally made public.

Can you explain why you refused to release your internal audit done by your ministry when a reporter with the Toronto Star requested it?

**Hon Evelyn Gigantes (Minister of Housing):** The request was made in February, I believe, and the recommendation that was made by the freedom of information coordinator at the Ministry of Housing was that the release of the audit report would put third-party interests at risk. For that reason, the ministry recommended non-release and informed the reporter that he might—in this case, a he—appeal that decision.

I learned of that decision last week and since then

asked for a review of the decision not to release the report. The report will be released this afternoon.

**Mr Harris:** Clearly the only third parties, then, that might have been at risk were those who may have done something wrong. If nobody had anything to hide or cover up, there would be nobody at risk. We understand that.

*Interjections.*

**The Speaker:** Order.

**Mr Harris:** First of all, it's downright embarrassing to the public of this province, to the members of the Legislature, that we have to probe question after question after question to get access to information that should be made public immediately. These reports are three and four years old.

I would like to ask the minister specifically, since she's obviously been following this case with interest a little bit from afar—now she's going to release the report; she must then have reviewed and know all of the information, since it's going to be public this afternoon—what two people went to Berlin, to Germany? Could you give us the names and the reason for that trip?

**Hon Ms Gigantes:** No, I cannot because I have not reviewed those reports intensively myself. They will be released because, in my view, this was an audit by government of a government contract and it is perfectly reasonable that it should be released publicly. I simply cannot give names. I'm sure in fact the member knows the names he's after. Maybe he'd like to bring the names out and have a discussion.

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**Mr Harris:** You know, you sit here and you cover up and you cover up and you cover up. You refuse to table information. We tried to get the annual reports—

*Interjections.*

**The Speaker:** Order. The member for Durham East, come to order.

**Mr Harris:** We tried to get the annual reports of Houselink in the ministry and were told that your ministry does not keep the annual reports of Houselink. With all the controversy going on, will you as well ensure this afternoon that you release the annual reports of Houselink, which should be public information, which should be kept in your ministry files as well, should be made available certainly to the members of the opposition?

Will you do two things: In addition to releasing your report that you've kept hidden all this time, will you also make sure that the annual reports of Houselink to the ministry are released, and will you also release to this Legislature the entire involvement of Robin Sears's mother in this whole affair?

**Hon Ms Gigantes:** I can't answer in the affirmative because I simply don't know that such a relationship exists, frankly. When he asked for the release of the annual reports of a non-profit agency called Houselink, the Ministry of Housing doesn't run that non-profit corporation. Those will be available. I would assume that Houselink would provide them to the leader of the third party. Our obligation in the Ministry of Housing, which

I'm quite prepared to say is our obligation, is to provide the public with information about our relationship as a ministry with Houselink. There was a contractual obligation there. There was a contract between Houselink and the Ministry of Housing. The report that was undertaken is a report that I am quite prepared to release, and it will be released this afternoon.

If he has other questions, he'll have to be much more forthcoming about his purposes and his sources of information and who's related to whom and who likes whom and who goes on what trips—I don't know, Mr Speaker.

**The Speaker:** New question.

**Mr Harris:** If there is some other minister who is responsible for the misuse of these funds and the coverup, perhaps the minister could tell me who it is I'm supposed to ask.

**The Speaker:** Could the leader of the third party address his second question, please.

*Interjection.*

**The Speaker:** The member for Cochrane South, come to order.

*Interjections.*

**The Speaker:** The member for Cochrane South is asked to come to order. New question, the leader of the third party.

#### CAMPING FEES

**Mr Michael D. Harris (Nipissing):** My second question is to the Minister of Finance. Minister, can you confirm that in your desperate search for revenue, you intend this year, for the first time, to tax Boy Scouts and Girl Guides who want to camp at our provincial parks this summer?

**Hon Floyd Laughren (Minister of Finance):** The question takes me somewhat by surprise, and perhaps it would be—

**Mr Chris Stockwell (Etobicoke West):** Always be prepared, Floyd.

**Hon Mr Laughren:** Perhaps part of the credo of being prepared is to wait for the supplementary.

**Mr Harris:** As the member from Etobicoke says, the motto is, always be prepared.

You ought not to be surprised, Minister, because you have sent out by way of edict to all political and non-political people affiliated with this government to try to figure out every possible way that you can wring every last nickel out of the public of Ontario. Boy Scouts and other six- to 17-year-old groups will now have to pay a new group camping fee, \$14 per stay, plus \$1 for every child, plus \$2 for every supervisor, plus their reservation fee—all brand-new fees to go into our provincial parks and not use any of the water or facilities, but simply to pitch their tents.

This may not seem like a lot to you, Minister, but this is the first time in the history of this province that we've had to go after these kids, trying to teach them a little bit about conservation, a little bit about managing of our forests, that we've had to go into their pockets.

For parents sending their kids to campgrounds, for the



kids who sell apples to raise money, it may mean the difference between going to a provincial park this year and not going to a provincial park. In fact, I had a letter from a troop leader in Coldwater saying just that, that this will prevent particularly the needy kids from being able to have that experience this year.

I know it costs money to run provincial parks, but instead of making six- to 17-year-olds help pay for your revenue shortfall, wouldn't it make more sense to ask these groups to help out around the park when they're there? Wouldn't that make more sense?

**Hon Mr Laughren:** I don't think the groups that go to the parks go there as a form of workfare. I think they go there for other reasons that are closely related to the organizations to which they belong.

*Interjections.*

**The Speaker (Hon David Warner):** Order. The member for Durham East, please come to order.

**Hon Mr Laughren:** Mr Speaker, if I could be serious about this, in the past there have been different groups pay different rates. Some groups didn't pay any fee at all in the provincial parks for group camping and other groups did. This will bring a standardized—I believe it's a half fare, 50% rate for groups. I don't think it's at all draconian and I don't think it will discourage the use of our provincial parks.

The leader of the third party is the first one on his feet at every opportunity, telling us that we've got to manage the store better and that we've got to get our deficit down and that we've got to get value for services received. I think that's simply what we're trying to do and I don't think it's imposing an unfair burden on groups that will use our very fine provincial parks.

**Mr Harris:** Roger White, one of the key members with Boy Scouts of Canada, believes that some Cubs and Brownies and Scouts and Guides will not have this educational experience because you plan across-the-board, brand-new fees for the first time for them to have that experience in our parks.

Treasurer, last year you introduced \$240 million in new fees in your budget. In fact, since 1990 you have collected over \$2 billion in what you pretend are non-tax revenues. You didn't hike all these; the Liberals did some of those. In fact, those Tories before, right back in those glory years of 42 years, had some fees. Some \$2 billion last year, Treasurer, a lot of them you introduced, in non-tax revenues.

You have told taxpayers that we're at the wall, that we've reached the limit. There will be no, you say, significant tax increases in this budget. But what you haven't said is that you have asked everybody—every minister, your cabinet, all the bureaucracy—to find every last nickel that you can wring out of the Ontario population. That's the direction that you've given.

Will you commit today that just as there will be no tax increases in this budget, there will be no what you call "revenue enhancers," "user fees," "co-payments," all those things that you bring in? Will you also commit to that to the beleaguered taxpayer in this province, to the beleaguered families, and now, in addition, to the

beleaguered children of Ontario?

**Hon Mr Laughren:** I wanted to assure the member for Nipissing, the leader of the third party, that we will not be introducing user fees in the health care system, as someone—

*Interjections.*

**The Speaker:** Order.

**Hon Mr Laughren:** That may upset the leader of the third party, but I did want to get that on the record. I don't think it's inappropriate to ask people to pay for some of the services that they receive to recapture some of the costs of delivering those services. I know that the leader of the third party is implying by his questions that these services should be provided free, all of them presumably, or perhaps he's going to pick and choose.

I thought that the Liberal opposition had cornered the market on trying to have it both ways in this province when it comes to deficits and taxation, but I see now that the Tories have moved into Liberal territory and are calling for no more revenues but lower deficits and keep your expenditures up as well.

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#### GOVERNMENT SPENDING

**Mr Sean G. Conway (Renfrew North):** My question is to the Minister of Housing. Can the Minister of Housing confirm that Mr Bruce Lewis, legal counsel to the embattled Houselink, in fact made representations to her government that her government not release this damning auditor's report about the operations of Houselink, because such release of such a report could impair third-party interests, like the people over at Houselink? Can she confirm that Mr Bruce Lewis, legal counsel to Houselink, made those very representations to her government, that this damning report not be released, because it might injure or impair third-party interests?

**Hon Evelyn Gigantes (Minister of Housing):** No, I cannot. I can confirm, as I said earlier, that when a freedom of information request was made of the Ministry of Housing for the release of the audit report, the coordinator of freedom of information felt it was a question where third-party interests were involved and sought clarification of that and confirmation of that with the representatives of the group, but I can't confirm who spoke to whom. All I can confirm, and I will confirm it for the third time today, is that this audit report will be released this afternoon, and that is as a result of my decision to have the decision not to release it, which was made in February and which I learned about last week, reviewed, and it now will be released.

**Mr Conway:** One reads this report and one understands how, if one were at Houselink, one would never want this report released. I'll tell you, this is a tale of abuse, of no accountability. I mean, the taxpayers, when they read this, are—

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** What it is a tale of is, the responsible minister decided to release the report.

**Mr Conway:** By and large, the people responsible at Houselink are what I would charitably describe as a nest

of interconnected New Democrats.

**Hon Gilles Pouliot (Minister of Transportation and Minister Responsible for Francophone Affairs):** Oh, Mr Speaker.

**Mr Randy R. Hope (Chatham-Kent):** You talk about low-lives, Sean.

**The Speaker (Hon David Warner):** Order. Order, the member for Lake Nipigon and the member for Chatham-Kent.

**Mr Conway:** I've got to tell you, you just take a look at this community-based organization. Meg Sears is not my mother.

**The Speaker:** Could the member place a question, please.

**Mr Conway:** I want to know from this government, given what this report says about inappropriate spending, foreign trips—

**Hon Mr Wildman:** Which government did this?

**Hon David S. Cooke (Minister of Education and Training):** Which government?

**Mr Conway:** Our government ordered this, and it has been received. It was sat upon—

*Interjections.*

**Mr Conway:** Listen, let me be clear. The taxpayers want some accountability. The taxpayers want and deserve some accountability.

**The Speaker:** Could the member please place a question.

**Mr Conway:** I want to know from the Minister of Housing what specifically she is prepared to do to ensure that the kind of wanton unaccountability, the kind of crazy spending on unvouchered expenditures—

**The Speaker:** Would the member please complete his question.

**Mr Conway:** —unapproved landscaping, foreign travel and much more—will the Minister of Housing, recognizing the gravity of this report, unlike her colleague the Minister of Health, immediately refer this report to the public accounts committee of this Legislature so there can be an immediate and full examination of all that went on here and so the public can know who is responsible—

**The Speaker:** The question's been asked. Would the member please take his seat.

**Hon Ms Gigantes:** Out of all that, I guess the real question is, when did this happen, how did it happen, who was responsible? The question can be answered thus: He's quite correct in identifying that the previous Liberal government realized that there was something wrong in the situation of the contract with Houselink. That government initiated an audit report—

**Ms Dianne Poole (Eglinton):** You suppressed the report because you knew it was a slam against non-profit housing.

**Hon Ms Gigantes:** —which in fact was presented to the government once we had been elected.

**Mr Chris Stockwell (Etobicoke West):** And you buried it.

**Hon Ms Gigantes:** Following on that report, steps were taken—I can't speak for the Ministry of Health, but I can certainly speak for the Ministry of Housing—to recover moneys that go back as far as 1986. That means that there was a long period of time when the contractual relationship between Houselink and the Ministry of Housing was inadequately supervised. That's what the audit shows. We are releasing that audit.

#### TENDERING PROCESS

**Mr David Turnbull (York Mills):** My question is to the Minister of Transportation. Ontario's open tendering process for roadbuilding contracts was developed in the 1950s. It was developed to ensure that there was no fraud or collusion in the awarding of roadbuilding contracts.

You and the Premier, Minister, sold this process of a consortium on 407 on the basis that you needed a consortium in order for them to have the financial strength to be able to raise the private sector funding to build 407. We now know that the private sector funding is out the window. We don't know whether the bid on the 407 was the lowest bid. Will you now restore confidence in the public sector, restore integrity and open up the 407 to bids from all companies?

**Hon Gilles Pouliot (Minister of Transportation):** Thank you, to the member opposite. The 407 is indeed, one more time, the largest highway project in North America, well above \$1 billion. Very early, at the beginning of the tendering process—which included participation from two giant, major consortia made up of several companies and monitored by Price Waterhouse: due diligence, due process of all members of each consortium involved.

Using the corporation as a facilitator to make it happen in a period of six years, in lieu of a period of 25 to 30 years—I'm referring here specifically to construction—very early in the tendering process, at the beginning, strict instructions to stay away from lobbying towards elected members, any member, specifically any member of cabinet, "Don't even have a cup of coffee with those people." In lieu of that, appoint four deputy ministers, put in place a foolproof system.

What are the gains? Value engineering, saving \$200 million to \$300 million, and the possibility to take this turnkey operation and market the project all over the world, putting Ontario engineers to work. Those are two key elements, and 20,000 jobs, build the project within six years in lieu of 25 to 30 years.

**The Speaker (Hon David Warner):** Would the minister conclude his response.

**Hon Mr Pouliot:** Suffice it to say, a success story.

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**Mr Turnbull:** What a load of bunk. You know that if the private sector had known this was going to be funded by the public sector, a lot more companies could have bid on it. You know that, sir. In June 1993, when you were asked if the whole bidding process and eventual awarding of contracts for 407 would be open for the closest public scrutiny and for intense examination by the Legislature, you said: "Absolutely. We have an obligation to make sure that everything is aboveboard." Will you



make good on that promise, sir, and table all the details of both the winning and the losing bid in the Legislature immediately?

**Hon Mr Pouliot:** There were many, many companies involved. We are still in negotiations, and the member will pardon me in not wishing—

**Mr Turnbull:** You've already chosen a company. What's the use of negotiating?

**Hon Mr Pouliot:** —to jeopardize the integrity of the project or the negotiation.

**Mr Turnbull:** Have you ever negotiated a contract in your life?

**The Speaker:** The member for York Mills, please come to order.

**Hon Mr Pouliot:** The savings, because of economy of scale and for reasons specifically explained before, are obvious to all. Why? They have to deliver on time and at a fixed price. This is no repeat Ontario Hydro or Sky-Dome spectacle. The price is guaranteed. It's not a cost-plus operation. Yet we recognize the ability of government to borrow at a cheaper price, 50 to 75 basis points lower. And who benefits when you can borrow money at a cheaper price? You have the answer: The users, the people who have to pay a toll fee, won't be paying as much as originally planned. There again, in terms of financing, in terms of construction, the process has proven to be flawless and of benefit to all.

**The Speaker:** Could the minister conclude his response, please.

**Hon Mr Pouliot:** I wish the member would rally to the success story. Otherwise, he risks being left in the dark in some distant and remote place and not be able to share in the official opening and the success story.

#### HIGHWAY SAFETY

**Mr Donald Abel (Wentworth North):** My question is also to the Minister of Transportation. Last week I rose in the Legislature and spoke about taming a killer. I was making reference to the infamous killer highway, that stretch of Highway 6 between Highways 403 and 401.

Over the last five years, at least 21 people have died and dozens more have been injured on this 24-kilometre stretch of highway. Speeding was the number one cause. In the very near future, photo-radar will become a reality in this province, and as it begins—

**Mr Murray J. Elston (Bruce):** "Please put it on Highway 6."

**Mr Abel:** You can interject all you want. This happens to be a very important question.

The project was designed to save lives and to reduce speed and fatalities, and it's been proven—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Abel:** —in jurisdictions around the world that it works.

**The Speaker:** Could the member place a question, please.

**Mr Abel:** The killer highway has carved its notoriety with a heavy hand. If we have the tools to reduce the

number of accidents and deaths, we have the responsibility to act. In an attempt to tame the killer, Minister, will you consider extending the use of photo-radar to the 24-kilometre stretch of the killer highway?

**Hon Gilles Pouliot (Minister of Transportation):** We appreciate the concern of the member regarding the tragic accidents, some of which are directly the result of excessive speed. Of course we share in the sorrow.

Our motto at Transportation is to make the roads of Ontario the safest in North America. Photo-radar is part of our safety initiatives. We have graduated driver's licences. We're building roads and we're making them safer with improved engineering. Photo-radar is one of the important components. The OPP will decide which stretch of highway is most deserving during the pilot project. Will it be, in this instance, Highway 6? Will it be the 401 and the 403? They, in their wisdom, since they're the foot soldiers, will decide where is the best application of that deterrent which is photo-radar.

#### PARAMEDIC SERVICES

**Mr Dalton McGuinty (Ottawa South):** My question is for the Minister of Health. The minister will know that for the people of Ottawa-Carleton paramedics are a very, very important issue. Our community knows we have one of the lowest survival rates in North America for our heart attack victims, and we've been working to change that. We've worked extremely hard to get you to give us paramedics like those you fund in Toronto, Hamilton and Oshawa.

In January of this year you said you would give us paramedics through a study, so in January we stopped collecting petition cards. I'm now going to turn over to you the petitions we collected, and I ask that a page come here. I'm going to turn over this box, together with 11 others, containing 55,000 individually signed petition cards, and I ask that they be laid at the minister's feet. I'll give the pages a moment to place the petitions there.

Minister, we in Ottawa-Carleton are concerned that you're not honouring your commitment to give us paramedics. Since January, no money has been made available and training hasn't started. When will we see paramedics on the streets of Ottawa-Carleton?

**Hon Ruth Grier (Minister of Health):** I'm very well aware, having spoken to the member from Ottawa and having been there myself, of the enormous interest in Ottawa-Carleton for having paramedics. I'm also very well aware of the enormous progress that has been made in Ottawa-Carleton with respect to dealing with emergencies, since as a result of my commitment that we would work through an evaluation of the value of paramedics has occurred—there has been \$400,000 committed to defibrillation, which is a precondition of having paramedics on the street. There have been extraordinary efforts made to teach cardiopulmonary resuscitation even in the schools in Ottawa-Carleton, another prerequisite to having paramedics be effective. It doesn't make any difference whether a paramedic gets there if they don't get there till 20 minutes after the emergency has occurred, so I welcome the cooperation of Ottawa-Carleton.

In response to the specific question, the very rigorous

evaluation and scientifically designed program to evaluate the benefit of paramedics that I committed myself to earlier this year is proceeding, is on track. There is no reason for all of these people in Ottawa-Carleton to share the member's concern that they will not have paramedics on their streets.

**Mr McGuinty:** Perhaps I can encourage the minister to be a bit more specific. On January 14 of this year, your cabinet colleague the member for Ottawa Centre announced with great fanfare that Ottawa-Carleton would be part of a study on paramedics. In her press release she specifically said, "The advanced life support training should be completed by the end of this year and fully trained paramedics should be working in ambulances early in 1995."

We have the Ontario minister with special responsibilities for Ottawa-Carleton specifically saying that training would be completed by the end of this year and paramedics would be on our streets early in 1995. Now, that's not what I hear you say now. As a result of this minister's word, as a result of her solemn commitment on a matter of the utmost gravity to the people of Ottawa-Carleton, we stopped pressuring you. We only collected 55,000 petitions.

If the minister is now reneging on her colleague's solemn commitment, we can only conclude it was never a true commitment and only made for the shallowest, most cynical of political purposes: just to shut us up. I want to give the minister the opportunity now to confirm that this is not the case. Will the minister now confirm that training for Ottawa-Carleton paramedics will be completed by the end of this year and that they will be on the streets in early 1995?

**Hon Mrs Grier:** That was what the member for Ottawa Centre said in January, that is what I'm saying, and nothing that has happened since then has done anything to change the situation. In fact, just a week ago I received a unanimous consensus report from the research group that is designing the research. The training and the investment in the defibrillators and in CPR has begun. I have every reason to believe that Ottawa will be one of the first places, as part of this study, where paramedics are on the streets, and I have every reason to believe that the optimistic timetable my colleague announced in January will in fact be lived up to.

All I can say to the member is, relax. Don't go collecting petitions. Put your efforts into making sure that when we make this major investment in an expansion of services in Ottawa-Carleton, we are sure we get the results that all of us devoutly hope for.

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#### SKILLS TRAINING

**Mrs Dianne Cunningham (London North):** My question is for the Minister of Education and Training, who seems to have disappeared.

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** No, he's there.

**Mrs Cunningham:** Oh, sorry. I'll welcome him back to the province of Ontario and to his seat, and then I will

ask him a question about OTAB, the Ontario Training and Adjustment Board.

This morning we met with the two co-chairs of OTAB, Mr Donald Green and Mr Glenn Pattinson, who have a tremendous responsibility, and Mr Tim Millard, the interim chief executive officer. They showed us their mission statement, which was an equitable system of training and adjustment programs and services in Ontario.

I think everybody agrees we need a partnership with our secondary schools so that students can participate in programs. We've had the SWAP programs, we've had some modified apprenticeship programs—I'll refer to them as MAP—and some articulation programs with our community colleges. Some of these have met with success, but there's far too much red tape, there's a lack of support in changes in legislation and regulations, and there is a lack of will to make these things happen.

Are you aware of these concerns, and what are you going to do about it?

**Hon David S. Cooke (Minister of Education and Training):** I am aware that there is a long history of the lack of coordination between our elementary-secondary education system, our post-secondary education system and our training system. That's one of the reasons the government has brought those three ministries together and has set up the Ontario Training and Adjustment Board, so there can be a much more coordinated approach to develop an education and training system in the province.

It will take some time to do that. Progress is being made, but it can't happen overnight. We've got a lot of years when there wasn't much attention paid to this whole system that we have to make up for, and we're trying to do that as quickly as we can.

**Mrs Cunningham:** I'm glad to see that the minister isn't as impatient as others in this province.

This is People and Skills in the New Global Economy, the former Premier's Council report. It states that in Ontario the average age of apprenticeship is 26 years. In the highly successful West German system, apprenticeship is actually part of the secondary school system. We've spent lots of money over the years—and you well know that—sending teachers over there. They've been coming back for 20 years to tell us to change it. The average age of apprenticeship there is 16.

This is my question: Did you know that we have a dropout rate right now of 50% in our apprenticeship programs? Did you know also that if you want to stay in school beyond the age of 21 in our secondary schools, you have to pay fees?

We're looking at major changes to make these systems work, and I ask you if you would look at the legislation with regard not only to my former request in the former question but to the exit age of 21, just so we can start making this system work. If we don't, we will not get the kind of compliance and the kind of enthusiasm for apprenticeship training programs in our secondary schools. Will you look at the exit age barrier?

**Hon Mr Cooke:** I would just caution the member about taking a look at some of the other systems in the



about taking a look at some of the other systems in the world and saying they are systems that should automatically be put in place in Ontario.

**Mrs Cunningham:** That's not what I said. That's what this report said.

**Hon Mr Cooke:** I had an opportunity to speak to some folks from other jurisdictions in western Europe last week, and I can tell you, I'm not sure we'd want to take the German system and apply it here, where they stream off thousands and thousands of students early on in education and put them off into technological education and therefore they have no opportunities to go on to other forms of education.

Part of the recommendation from the Premier's report, which I think the member's referring to, was the establishment of the Ontario Training and Adjustment Board, and in fact we've acted on that recommendation.

It's interesting that the member selectively endorses some of the recommendations. She didn't support OTAB, and I think that was the major step that needed to be taking place in this province to once and for all get our training programs in order.

#### TENANTS ON SOCIAL ASSISTANCE

**Ms Christel Haeck (St Catharines-Brock):** My question is to the Minister of Community and Social Services. A common complaint I get from landlords is that they are often left with a returned rent cheque, or no cheque at all, when they rent to people who are receiving government assistance such as general welfare or family benefits. Landlords suggest to me that the government should allow the social services department to automatically forward the rent cheque to the landlord each month, as is the practice in other jurisdictions. This way, landlords will not be left out of pocket and social assistance recipients will not be discriminated against when they look for rental housing.

I have to admit, personally it's something I hold very strongly, that such a system should be created so that well-meaning landlords who have rented to social assistance recipients and have sometimes been left thousands of dollars in debt because their tenant has failed to pay the rent—I've also seen social assistance recipients who cannot find decent rental accommodation because of the reputation of a few irresponsible tenants who have not met their obligations.

Minister, could you advise me whether your ministry is looking at implementing some sort of rent-directed system here in Ontario?

**Hon Tony Silipo (Minister of Community and Social Services):** I thank the member for her concern in this area. I can just say to her, in brief, that this is an issue we are looking at. I have certainly received many of the same letters and concerns the member has addressed. I know that last week this Legislature passed a resolution that was presented by the member for Cochrane South on this very issue, and we are looking at what we can do.

We believe very fundamentally, as I believe the member for St Catharines-Brock does, that the vast majority of people on social assistance are able to and fulfil their obligations with respect to paying rent in a

very responsible fashion. In anything we do, we want to make sure we maintain that approach. But we are looking at what we can do, and whether it's this form of directing the rent or other things we can do, we are taking a look at that and will be doing some work together with our colleagues in the Ministry of Housing around that issue.

**Ms Haeck:** I'd like to thank the minister for those remarks because, like him, I do see the fact that many of our social assistance recipients are very responsible in their actions. But I also know from comments made, even in my local newspaper as recently as 10 days ago, that there are those folk who have very serious concerns on behalf of welfare recipients or social assistance recipients that we would be controlling how they spend their money. I ask to what degree your ministry would be ensuring that the rights of social assistance recipients will still be kept uppermost in your mind.

**Hon Mr Silipo:** As I said, we would want to proceed in this area in a way that shows very much that we respect the reality that the vast majority of people who are on social assistance are carrying out their responsibilities in a very straightforward fashion, and that we believe very fundamentally in supporting the dignity of individuals who are on social assistance to have control over how they use the funds they receive in benefits. As we proceed to take a look at what we can do to deal with the few issues that are problems relative to the overall system, we will keep that very much in mind, so as we work out the details I'm quite confident we can address both of those aspects in the way they need to be.

1450

#### EDUCATION FINANCING

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of Education and Training. The minister will be aware that a number of school boards in the province are extremely concerned about a bombshell which was dropped on them last week, that bombshell being the news that in some cases they are required to raise substantially more money than they had anticipated.

The Hamilton-Wentworth board of education has a difference of \$5 million, the Lincoln County Board of Education about \$2 million. All were shocked, because they have to go to their local area municipal council to put forward what they believe will be their levy for this coming fiscal year.

My question to the minister is, why did you wait so late to tell all these boards of education about this news and not allow them to make adjustments within their budgetary system to accommodate it?

**Hon David S. Cooke (Minister of Education and Training):** I am actually quite happy that the member raised this particular issue, and specifically with the Hamilton Board of Education, which has been making a big fuss about what it claims to be \$5 million.

I asked the ministry last week, when I first saw this in the paper, to do some analysis. The fact of the matter is that the \$5 million they're referring to has very little to do with the GLG announcement. The only change in the GLGs was a slight adjustment to the spending ceiling, which is done quite often, regularly, by governments. It

switch from high assessment boards to low assessment boards; in other words, wealthy boards to poor boards.

The vast majority of the money that the Hamilton Board of Education is referring to are items like a transitional assistance fund, which was a one-time payment it got last year which it knew it wouldn't get this year, that its student enrollment declined by 750—

**The Speaker (Hon David Warner):** Could the minister conclude his response, please.

**Hon Mr Cooke:** All those were factors they were aware of months ago, and they cannot now blame the provincial government. It might be a great political tactic of theirs, but it's not accurate, not fair and not true.

**Mr Bradley:** The minister has been in the House a long time and knew enough to pick the right part of the question to answer.

My supplementary question to the minister, very briefly, is why did you wait so long to provide this information to a number of boards—I know you've chosen the Hamilton-Wentworth board, but the Lincoln County Board of Education, for instance—when you know that by the end of this month they have to have their levy requests to the local councils, that they have negotiated their contracts and that they have made certain financial commitments, and then, at the last minute, you drop this bombshell on them? Why is that?

**Hon Mr Cooke:** That is simply not accurate. What I told the member was that every factor I've referred to, except for the general legislative grants and the one factor of the change in the spending ceiling, everything else, the boards knew about before we announced the GLGs.

Those factors were well known and the board is using the one factor, the general legislative grants, as an excuse to deal with a whole bunch of other matters and blame everything on the provincial government. It happens every year at this time and it happens even more when there's a municipal election coming on.

#### MOTIONS

##### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Government House Leader):** I move that notwithstanding standing order 96(h), the requirement for notice be waived with respect to ballot item number 55.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

#### PETITIONS

##### VIOLENCE

**Ms Dianne Poole (Eglinton):** I have 196 petitions here, which represent over 2,000 signatures, and I would like to read it into the record.

"To the Legislative Assembly of Ontario:

"Whereas serial killer trading cards are being imported into and distributed throughout Ontario and the rest of Canada;

"Whereas these trading cards feature the crimes of serial killers, mass murderers and gangsters;

"Whereas we abhor crimes of violence against persons and believe that serial killer trading cards offer nothing positive for either children or adults to admire or emulate,

but rather contribute to the tolerance and desensitization of violence; and

"Whereas we as a society agree that the protection of our children is paramount;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government enact legislation to ensure that the sale of these serial killer trading cards is restricted to people over the age of 18 years and that substantial and appropriate penalties be imposed on retailers who sell serial killer trading cards to minors."

Mr Speaker, I have affixed my signature, and I would like to let you know that this now comes to 5,225 people who have signed these petitions in 55 cities and towns throughout Ontario.

#### JUNIOR KINDERGARTEN

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the previous provincial Liberal government of David Peterson announced its intention in its budget of 1989 of requiring all school boards to provide junior kindergarten; and

"Whereas the provincial NDP government is continuing the Liberal policy of requiring school boards in Ontario to phase in junior kindergarten; and

"Whereas the government is downloading expensive programs like junior kindergarten on to local boards while not providing boards with the funding required to undertake these programs; and

"Whereas the Wellington County Board of Education estimates that the operating cost of junior kindergarten will be at least \$4.5 million per year; and

"Whereas mandatory junior kindergarten programs will force boards to cut other important programs or raise taxes; and

"Whereas taxes in Ontario are already far too high as a legacy of the Liberal government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government of Ontario cancel its policy of forcing junior kindergarten on to local school boards."

It's signed by approximately 20 of my constituents.

#### FIREARMS SAFETY

**Mr Gordon Mills (Durham East):** I have a petition sent to me by the Ontario Federation of Anglers and Hunters and it reads as follows:

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

#### SEXUAL ORIENTATION

**Mrs Joan M. Fawcett (Northumberland):** I have a petition to the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assem-



bly of Ontario as follows:

"That the House refrain from passing Bills 45 and 56 and that sexual orientation not be added to the Ontario Human Rights Code.

"While in principle we agree with the intent of Bill 56—our creed teaches us to love and respect our neighbour—we are concerned over the government's intent to legislate morality and at the same time eliminate definitions of standards as proposed in Bill 45.

"Bill 56 in its proposed form, without parameters of standards, opens the way to reverse discrimination. For example, it is our concern that it will become a tool to require schools to teach other sexual orientations as natural or normal, which is unnatural to the majority and contrary to the beliefs of many.

"We recommend that the government not proceed with these bills in their present proposed form."

I have affixed my signature.

#### HAEMODIALYSIS

**Mr Jim Wilson (Simcoe West):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas several patients from the town of New Tecumseth are forced to travel great distances under treacherous road conditions to receive necessary haemodialysis treatments in Orillia or Toronto;

"Whereas the government has done nothing to discourage a patchwork dialysis treatment system whereby some patients receive haemodialysis in-home and others travel long distances for treatment;

"Whereas there are currently two dialysis machines serving only two people in New Tecumseth and one patient is forced to pay for her own nurse;

"Whereas the government continues to insist they are studying the problem, even though they have known about it for two years; and

"Whereas the Legislature passed Simcoe West MPP Jim Wilson's private member's resolution which called for the establishment of dialysis satellites in New Tecumseth and Collingwood,

"We demand the government establish a dialysis satellite immediately in the town of New Tecumseth."

I have signed that petition.

#### FIREARMS SAFETY

**Ms Jenny Carter (Peterborough):** I have a petition to the Legislative Assembly:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae,

Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

This petition is signed by about 260 people from all over Ontario.

1500

#### HAEMODIALYSIS

**Mr Jim Wilson (Simcoe West):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas several patients from the Collingwood area are forced to travel great distances under treacherous road conditions to receive necessary haemodialysis treatments;

"Whereas the government has done nothing to discourage a patchwork dialysis treatment system whereby some patients receive haemodialysis in-home and others travel long distances for treatment;

"Whereas there are currently two dialysis machines serving only two people in the Collingwood area;

"Whereas the government continues to insist they are studying the problem, even though they have known about it for two years; and

"Whereas the Legislature passed Simcoe West MPP Jim Wilson's private member's resolution which called for the establishment of dialysis satellites in Alliston and Collingwood;

"We demand the government establish a dialysis satellite immediately in the town of Collingwood."

I've signed that petition and want members of the public to know that currently an all-party committee of the Legislature is preparing recommendations to force this government, or certainly to urge this government, to establish dialysis satellites outside of Metro Toronto where they're certainly needed.

#### EDUCATION FINANCING

**Mr Robert Frankford (Scarborough East):** I have a petition from many residents of Scarborough, including some of your constituents, no doubt.

"To the Legislative Assembly of Ontario:

"Whereas the British North America Act of 1867 supports the right of Catholic students to a Catholic education, and the province of Ontario supports two educational systems from kindergarten to grade 12/OAC;

"Whereas the Metropolitan Separate School Board educates more than 103,000 students across Metropolitan Toronto, and whereas this is equivalent to 30% of all of the students in the area;

"Whereas the Metropolitan Separate School Board is expected to provide the same programs and services as its public school counterpart, and must do so by receiving \$1,822 less for each elementary school student and \$2,542 less per secondary school student (based on 1993 estimates);

"We, the undersigned, petition the Legislative Assembly to act now to ensure that Ontario's two principal education systems are funded fully and equally."

I'm pleased to add my signature.

#### SEXUAL ORIENTATION

**Mrs Joan M. Fawcett (Northumberland):** I have another petition, this time from the Brighton Bible Church, members there, and it's to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it.

"We believe that there will be an enormous negative impact on our society over the long term if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, but since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age and sex, we believe all such references should be removed from the code."

I've signed the petition.

#### FIREARMS SAFETY

**Mr Noble Villeneuve (S-D-G & East Grenville):** I too have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of the province of Ontario, signed by some 208 constituents and also hunters who come from out of province.

"Whereas we want you to know that we are strenuously objecting to the government decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, therefore, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I agree and have signed this petition.

#### LAND-LEASE COMMUNITIES

**Mr Larry O'Connor (Durham-York):** I've got a petition here to the Legislative Assembly of Ontario:

"Whereas Bill 21 has received second reading in the Legislative Assembly of Ontario; and

"Whereas Bill 21 will provide needed protection to owners of mobile homes in mobile home trailer parks and modular homes in land-lease communities, like Sutton-by-the-Lake; and

"Whereas many of the owners of mobile homes are

threatened with eviction and loss of their investment in their mobile home by the action of their landlord;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To proceed as expeditiously as possible on third reading of Bill 21."

I had a call just before I came in here from Muriel McDermott asking me to present this petition today.

#### FIREARMS SAFETY

**Mr Ted Arnott (Wellington):** I have a petition that has come to me from the Ontario Federation of Anglers and Hunters. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years; and

"Whereas we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Premier of Ontario, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I endorse this petition as well.

**Mr Kimble Sutherland (Oxford):** I have petitions here that were forwarded to me by R.G. Morgan, the executive vice-president of the Ontario Federation of Anglers and Hunters. These petitions are similar to ones that the member for Wellington just read in and many other members read in concerned about the firearms course certificate etc. I would submit that now on behalf of the federation.

#### SEXUAL ORIENTATION

**Mrs Joan M. Fawcett (Northumberland):** I have another petition from 36 people from the riding of Northumberland expressing again their opposition to Bill 45. They are requesting that the House refrain from passing Bill 45. I have signed the petition.

#### EMERGENCY SERVICE

**Mr Jim Wilson (Simcoe West):** I have a petition that reads as follows:

"Four Counties General Hospital in Newbury, Ontario, provides 24-hour emergency services to an area that covers the four neighbouring corners of Middlesex, Elgin, Kent and Lambton counties. Approximately 16,000 people live in small towns, villages and rural sections of this area.

"Due to the shortage of doctors in the area, the hospital has had difficulty in providing medical coverage for its emergency room on a 24-hour, seven-days-a-week basis.

"If the hospital cannot get enough doctors to cover, it



will have to close its emergency department for part of the 24-hour period. The nearest emergency departments are 40 to 60 minutes' driving distance away.

"We, the residents of the hospital's service area, need 24-hour emergency coverage and want the Ministry of Health and the Ontario Medical Association to resolve the critical issue of medical coverage of rural emergency departments immediately."

I've signed that petition.

#### FIREARMS SAFETY

**Mr Paul Klopp (Huron):** I have a petition sent to me by Rick Morgan, the executive vice-president of the Ontario Federation of Anglers and Hunters. This petition has been signed by residents of the riding of Huron, and it reads:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own,

"I/we, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I so agree, and I so have signed.

#### INTRODUCTION OF BILLS

##### COUNTY OF DUFFERIN ACT, 1994

On motion by Mr Tilson, the following bill was given first reading:

Bill Pr109, An Act respecting the County of Dufferin.

##### ONTARIO SOUTHLAND RAILWAY INC. ACT, 1994

On motion by Mr North, the following bill was given first reading:

Bill Pr100, An Act respecting Ontario Southland Railway Inc.

1510

#### ORDERS OF THE DAY

##### CORPORATIONS TAX AMENDMENT ACT, 1994

##### LOI DE 1994 MODIFIANT LA LOI SUR L'IMPOSITION DES CORPORATIONS

Mr Sutherland, on behalf of Mr Laughren, moved second reading of the following bill:

Bill 146, An Act to amend the Corporations Tax Act / Projet de loi 146, Loi modifiant la Loi sur l'imposition des corporations.

**Mr Kimble Sutherland (Oxford):** This bill will put into place the changes to the Corporations Tax Act that were introduced in the 1992 and 1993 Ontario budgets. The changes include enhancements to the instalment base

and the electronic filing of returns, the introduction of a corporate minimum tax and changes that will parallel amendments to the federal Income Tax Act.

The corporate minimum tax will ensure that large, profitable firms will pay at least a minimum amount of corporate income tax. The tax will apply to corporations or companies and associated groups with total assets of more than \$5 million or a gross revenue over \$10 million. Only corporations over these limits currently paying little or no regular income tax will be required to pay the corporate minimum tax.

The small business income tax rate will be reduced from 10% to 9.5%. The income tax rate for manufacturing and processing, mining, farming, logging and fishing will be 13.5%, down from 14.5%. Corporations which issue flow-through shares and renounce exploration and development expenses incurred in Canadian mineral exploration to individual shareholders will be entitled to a reduction in their paid-up capital.

Other measures being introduced will close corporate tax loopholes and improve tax fairness. The goodwill allowance previously allowed as a deduction from paid-up capital will be eliminated and all debt, whether secured or unsecured, will be included in paid-up capital.

The bill will introduce specific rules regarding the distribution of assets prior to a corporation's year-end. As well, associations registered under the Prepaid Hospital and Medical Services Act will be considered insurance companies for the purposes of the insurance premium tax.

Finally, this bill also introduces an additional tax on life insurance corporations and imposes an 18-month temporary income surtax of 10% on banks as well as an increase in the capital tax paid by banks from 1% to 1.12%.

This bill addresses the major inequities in the act through the introduction of a corporate minimum tax and the closure of many loopholes which have benefited a few corporations at the expense of all taxpayers.

Speaker, let me say a few more words. I'm pleased that we have finally reached the point where we are having a debate about the minimum corporate tax. This government, as you know, made a commitment in the last election, in the 1990 election, to bring in a minimum corporate tax. We believe that was an important measure to bring in terms of tax fairness.

The good people of the province of Ontario are obviously paying their share of taxes, as all of them will attest, and certainly, if they haven't finished doing their returns, they'll be doing them in the next week or so. But it's important too that corporations pay their fair share. Let me say, many corporations, and I would suggest to you particularly many small businesses, have been paying their fair share for quite a long time. I think those people who do pay their fair share of taxes would also be supportive of us bringing in this minimum corporate tax.

As I say, it was election policy from the 1990 campaign. We're moving forward on that, retaining that commitment to the people of the province of Ontario, and let me say there are some tax increases in here; we all recognize that. But in terms of the main focus of it, it's

the Corporations Tax Act and I believe, and I hope many other people will believe, it is about tax fairness, which is something this government has talked about a lot, talked about a lot when it was in opposition and has tried to bring about as a government in ensuring a fair tax system.

We believe a fairer tax system is one that's more progressive. If you look at what we tried to do in terms of tax increases—and we certainly understand no one likes to pay more tax; that's very clear—but in terms of making the very difficult decisions we had to make to get a handle on the deficit, Speaker, if I could just spend a minute reviewing them in terms of the action we took in last year's budget to ensure that the deficit didn't go up to close to \$17 billion, which was totally unacceptable, the government undertook a three-pronged approach, as you will remember.

We implemented the expenditure control plan, which was reductions in government expenditures, and the vast majority of the amount on an expenditure control plan was specifically the provincial government. There were some reductions to some of our transfer agencies as well as a result of that, but most of that money came out of the government's direct spending.

We also had the social contract, which is in place, and we found another \$2 billion worth of savings in there. We asked those people who worked for the government and in the public sector to contribute to getting a handle on the deficit, and those people have certainly made a contribution.

As well, we implemented tax increases and non-tax revenue increases close to another \$2 billion to make up the rest of it. We asked everybody to contribute. As part of that, we said that the corporations should contribute as well. Those profitable corporations which are making money out of the province of Ontario need to contribute back to help pay for the services that all Ontarians benefit from, and I would say too that those corporations benefit as well. We believe that bringing in this minimum corporate tax and some of the other tax initiatives here does relate to the question of tax fairness.

I'm sure when the opposition is up, they're going to rail against this bill because they're going to say any tax increase is a negative thing. I know the Liberals are going to get up and say this is awful. They're not going to present many other alternatives, of course, if we remember what their leader said. She said we didn't cut enough: "Cut more. Cut extra billions." She didn't say how to do that. She said: "Don't do the social contract but cut more. Don't reduce to your transfer partners but cut more." They have lots of general ideas.

At any rate, I look forward to some of the comments that will be coming out, but I do just want to say that I hope people see this as part of the government's initiative for tax fairness to ensure that everyone, not only individuals but corporations, is paying their fair share.

**The Deputy Speaker (Mr Gilles E. Morin):** Questions or comments?

**Mr W. Donald Cousens (Markham):** There's no such thing as a fair tax, Kim. The whole world we're into

right now: Everything's got to be fair, this has got to be fair so you hit the big guy. Your government has taken the view that you're pro-employee and you have a feeling of anti-employer. If you start thinking of the way in which your government has developed this logic and this thinking, it's saying, "We want to develop anything that's going to be pro the employee."

What you have to work out in our society is a balance between both the employer and the employee so that all sides win. It's not a matter of just saying us and them; we're in it together. If you can have the employers creating opportunities and getting jobs for people, then the employee is going to be the beneficiary. We as people in government have to look at ways of not building walls between ourselves and the real world but building bridges of friendship and building relationships that allow us to work through into the future.

1520

When you start talking about fairness, I wonder if this could be anything like some of the other taxes you've brought in where now you're having to come back and rethink it. The tragedy is that I don't think anyone's going to come back and cancel a tax. I have to speak on this bill shortly. I'm not going to make any guarantee that we'd roll it back, but we are in a society where I wish you'd understand as a government you've got to stop adding to the costs of government.

**Mr Drummond White (Durham Centre):** You wouldn't cancel a tax, but we do cancel taxes, Don.

**Mr Cousens:** You'll have a chance. I've got 30 seconds left, and Drummond, you can say all you want for 90 seconds. That's the way it works around here. But I'm always glad to listen to you when you speak in turn.

So here we go again. It's a battle that just won't end. I'm not prepared to sit back and have you say, "We've got another fair tax for the people of Ontario." You even had a commission that went out there and called itself the Fair Tax—and changing the world—the Fair Tax Commission. You put all the words around it. Talk about artists in wordsmithing. That's what you are.

**The Deputy Speaker:** Further questions or comments? Two minutes in reply.

**Mr Sutherland:** I appreciate the input from the member for Markham. I'm sure he's going to elaborate far more in his opportunity to make remarks on the bill about his definition of fair taxation. We know what the Tories' definition of fair taxation is. We saw for nine years under the federal Tories how they changed the tax system and what they feel a fairer tax system is.

**Mr Cousens:** I'll get into that. Great.

**Mr Sutherland:** Let's talk about this.

**Mr Cousens:** They went and reduced income tax; the provincial Liberals increased it. So you better understand it.

**The Deputy Speaker:** The member for Markham, you had your turn. Please.

**Mr Cousens:** I apologize. Give him an extra two minutes.

**Mr Sutherland:** Let me just say I think all of us in



this House have seen very clearly what they feel a fair tax system is, and we know that in the past they certainly have had no problems granting many exemptions to all kinds of corporations. I want to say there's a difference between granting exemptions etc and some of the initiatives that are put on to generate certain types of economic activity.

The member for Markham also indicated this being pro-employee and anti-employer. It's not a question of being anti-employer. It's a question of saying that, legitimately in the province of Ontario, we have many public services that many people benefit from; let me say, not only individuals but corporations. There is an expectation that everyone should contribute to pay for those public services.

Individuals contribute on a regular basis. Everyone believes that the corporate sector should be contributing as well and should be paying its fair share. There are some corporations that aren't, and we believe through the introduction of the minimum corporate tax, which will impact about 3% to 4% of companies in the province, we will be making the system fair.

**The Deputy Speaker:** Further debate?

**Mrs Elinor Caplan (Oriole):** I rise today to debate Bill 146, which is entitled An Act to amend the Corporations Tax Act. However, it's also an opportunity for us to discuss the fiscal policy of the government. Bill 146 is just a part of the overall taxation strategy of Bob Rae and the NDP government.

To begin, as I have with other pieces of tax legislation that have been before us in the last few days, I'd like to point out that Bill 146 is a bill that, while it had first reading in March 1994, in fact much of the provisions of this legislation resulted from the previous budget.

In fact, Mr Speaker, do you want to know why people believe that the NDP government is so incompetent? This bill is passing a two-year-old tax provision, and that provision has in fact already expired.

Now, what that means, in simple, plain language for people who are watching, is that because it is the tradition for taxing in this province that the tax takes effect when the Treasurer announces it, it is then followed, usually shortly thereafter, by a piece of legislation enacting the tax.

This Bill 146 contains a temporary capital tax surcharge on banks that was announced in the 1992 budget, clearly two full years ago. That tax, the temporary capital surcharge on banks, was a tax that came into effect on April 30, 1992, and expired on November 1, 1993.

Here we are, the end of April 1994, and the government is bringing in this retroactive legislation to legalize a tax which has already been implemented, been collected and expired. To me that is the height of incompetence. It's also why people lose confidence and feel so cynical about governments.

I'd like to make that point as we begin this debate, because Bill 146 is a piece of legislation that was announced during the last budget. Today is April 25, 1994. We know that the new budget for this coming year is going to be tabled in this House on May 5.

It's upsetting to people watching this debate to realize that we are standing here today debating tax bills that are implementing provisions which are not only two years old and have expired and implementing provisions which were announced in the budget of last year, but we know that within the next few days we're going to have a new budget.

That is not competent management, in my view. It is also not the right message to the people of the province that's going to instil confidence either from the private sector or from consumers, who we know are the people who will be leading economic recovery, hopefully economic recovery, in the province of Ontario.

It's distressing, to say the least, that here we stand a full year after the announcement of these provisions. I listened very carefully to the parliamentary assistant as he referred to the fact that the announcement of a corporate minimum tax is not just one year old; he said that this was part of the Agenda for People and this was a campaign commitment from the election of the summer of 1990. I would say to him that that's no reason for bringing this forward now.

I don't want to go through the lists and I know that this is a debate about tax policy, but I remember auto insurance. I remember all the promises that you made in the Agenda for People. When you became the government, you realized that those commitments that you made in the Agenda for People were rhetoric of an opposition party that never expected to govern. You found yourself in government and you jettisoned many of those policies, because you knew that they were not going to be acceptable to the people of the province of Ontario.

In fact one of the things that I find most interesting about the minimum corporate tax that we're discussing today is that so many people told you not to do it. It wasn't just the chambers of commerce and the boards of trade that you would expect, but the corporate minimum tax was one of the very first things that the NDP government referred to its tax commission. They called it the Fair Tax Commission, and in a few minutes I'm going to go on about how they've contaminated the word "fair" and what that really means in NDP Ontario.

But they set up this tax commission and they asked it to expeditiously look at their campaign promise, which was a corporate minimum tax. The tax commission said, "Don't do it." They said, as my children sometimes say to me when I give them an answer that's different than the one that they expected, "Oh, gee, we're really sorry we asked you that question; could you forget we ever asked?" and then proceed to do exactly what they wanted to do in the first place.

1530

That's really what Bob Rae and the NDP have done. They made a promise in the last election campaign. They then asked for expert advice on whether or not they should proceed with that promise. They were told, "Don't proceed; it really is not a good idea for Ontario at this time," and they're doing it anyway.

I'd like to make a very clear statement about why I'm not going to be supporting Bill 146. I believe that Bill

146 will result in higher taxes. It will result in more government red tape. Particularly, it will result in fewer jobs for individual Ontarians. I say that with a heavy heart, because I've been saying it time and again as we discuss tax bills and fiscal policy in the province of Ontario.

This is going to sound a little repetitious, but I think it does bear repeating: Now is not the time to raise additional tax revenues. The province of Ontario has undergone a devastating recession. People are suffering. People who thought they had secure jobs have lost their jobs. People are worried today that they may lose their job tomorrow. One of things that we know from economists and others is that for every \$40,000 that you take out of the economy in additional taxes, you kill one job. That's the ratio. It's very easy to understand.

We know that the result of last year's budget was to slow the economy. We know part of the reason that the recovery has been as sluggish and as slow as it's been has been because of the taxation policies of the New Democrats. Bill 146 is yet another example of taking additional dollars out of the economy.

Now, the parliamentary assistant refers to tax fairness, and I want to spend just a couple of minutes on this notion of "fair." A good case can be made for everyone paying their fair share of taxes. I have been a proponent of the kind of tax reforms that would ensure that everyone pays their fair share. While you may have debates from time to time about how to achieve tax fairness, the reality is that everyone in a democracy, I think, when put to the test, would say, "Yes, I believe that everyone should pay their fair share."

But just as the Fair Tax Commission, established by Bob Rae and the New Democrats, stopped being called the Fair Tax Commission when it issued its report—which was not that it was going to see taxes redistributed or greater fairness, but in fact the end result of the Fair Tax Commission's findings was going to result in more taxes and higher taxes—in the name of fairness and fair share, Bill 146 is going to result in more taxes, not fair taxes. Bill 146 does not reallocate or shift or lower a tax on one side to move it to another sector, where some might argue there hasn't been a fair share in the payment of taxes. That's not what Bill 146 does. What Bill 146 does is raise the tax rate for private sector corporations that have been investing in jobs in the province of Ontario.

**Mr Sutherland:** And banks and insurance companies.

**Mrs Caplan:** Yes, Bill 146 also has a negative impact on banks and insurance companies, but it doesn't mean greater fairness. I'm sick and tired of seeing Bob Rae and parliamentary assistants and members of the NDP caucus stand up and use the word "fair" when what they mean is something other than fair, or fair in their eyes. Often when I hear Bob Rae say "fair," what I know he means is "same." If everybody isn't the same, then it isn't fair.

As I look around my riding, the riding of Oriole, I know that Ontario is a province of great diversity, where not everyone is the same, where a policy that would be appropriate for Metropolitan Toronto would not necessarily be appropriate for North Bay, would not necessarily

be appropriate for Kitchener-Waterloo or Guelph. The notion that the NDP has that fairness means sameness in my view is wrong.

What we need is the kind of flexibility in public policy that allows local communities to have more say, that allows local communities to find the solutions to the problems facing those local communities. When you have big government at Queen's Park demanding sameness in the name of fairness, that is terribly, terribly unfair.

So as we debate Bill 146, there are a few points that I would like to make.

Higher taxes are not the way to economic prosperity. At a time of economic recession, higher taxes, taking more money out of the economy, reduces economic activity. I'm trying to find new and different ways of saying that, ways that perhaps the government will understand. I admit that I'm getting very frustrated.

The parliamentary assistant says, "What are your alternatives?" I want to tell him very clearly that on tax policy, Lyn McLeod and the Ontario Liberals have promised a 5% tax reduction over a five-year period. We believe that would result in stimulating both business investment and job creation opportunities in the private sector in the province of Ontario.

One of the things we have seen in each year of this NDP government in its fiscal plan and in its taxing plan is that each year we have seen it increase taxes. Do you know what the result has been? The result has been less tax revenue. So you're raising taxes and you're collecting fewer taxes. Wake up. This is telling you something. The fewer people who are employed, the less personal income tax they pay. The more companies that go into bankruptcy, the less taxes they're going to pay. It is extremely important that at times of recession, at times of a sluggish economy, we understand the negative impact that tax increases can have on the economy.

Having said that, I think it is only fair for me to put that in context of the other side of the coin. There is a time to raise taxes. The time to raise taxes is when the economy is booming, when wages are going up in the private sector and public sector employees say, legitimately, that they also deserve wage increases. That's at a time of economic prosperity. That's a lesson that the NDP has not learned. You cannot raise wages, you cannot increase spending, you cannot raise your taxes at a time of economic recession. Frankly, at a time when wages in the private sector are being reduced, you cannot increase public sector wages.

1540

**Mr Jim Wiseman (Durham West):** Wages in the private sector outdistanced the public sector in the last quarter.

**Mrs Caplan:** Mr Speaker, an interjection from the member for Durham who is, as always, an active contributor in heckling in this House, and I'm not going to pay any attention to him.

One of the things that we know is that you cannot spend your way out of a recession and you cannot tax your way out of a recession. How do we know that? Because Bob Rae and the NDP tried both and they failed



miserably. Unfortunately, the result of their failure is pain, anguish and job loss for the people of the province of Ontario.

I remember listening to the parliamentary assistant as he talked about the Agenda for People and I remember, during that summer campaign, realizing how desperate that agenda seemed. It was so unrealistic. Those of us who were campaigning during that summer knew that every bit of rhetoric, every promise that could be put out to appeal to people, was put forth in that Agenda for People. I think that there is justice in the world, to see the NDP trying to govern with that Agenda for People staring them in the face and people saying, "Yes, but what happened to your Agenda for People?"

That was at the time when you said you all of those simple answers to all of these complex problems. They've had almost four years to govern, and we've seen what has happened to those folks who had all the simple answers in the summer of 1990. What do we see? We see higher taxes; we see a deficit that has brought shame to the province of Ontario.

I would like, if I could, as I participate in this debate on Bill 146, to remind people who are watching this debate that after 15 years of Progressive Conservative government deficits—there were 15 consecutive years of deficit financing by the Conservatives—the Provincial Auditor has attested to the fact that the very first fully balanced budget was the Liberal government budget of 1989-90.

I was proud to serve in that government. I was proud of our fiscal responsibility. We know that there was a fully balanced operating budget from 1987 on, and that was no small achievement. We had to work very hard to do that. We made some very difficult decisions.

**Mr Gordon Mills (Durham East):** How come when we took over we were \$3 billion short? The books were being cooked.

*Interjections.*

**Mrs Caplan:** There were people who said that we were not spending enough. As I hear those opposite, I can't remember anyone in those years, from 1985 to 1990, who ever said that we were spending too much. In hindsight, those were very good years. The economy was booming, 700,000 jobs were created in the province of Ontario and, yes, those were times that people would like to look back on and people would like to remember economic prosperity.

At the same time, I'll say that during those years, no, we were not perfect. Certainly I learned a lot about governing and government. But I can tell you that when I look at the taxation policies of the NDP as we come out of this recession, I think to myself, "My, how times have really changed."

We have today an anti-business, anti-private-sector government, and the provisions of Bill 146 are actually very stark when it comes to that. One of the things that Bill 146 does that maybe some people think is a good idea but I think is mean-spirited more than anything else, especially since it's don't-do-as-I-do, do-as-I-say kind of legislation: Bill 146 cuts the private sector's entertain-

ment deduction to 50% from previously 80%. What that means is that when businesses were out entertaining or using the restaurants in the province of Ontario, they were able to deduct 80% of those expenses as a business expense. This legislation cuts that to 50%.

What I find particularly interesting is that when civil servants who work for the government of Ontario go out, they are able to deduct a full 100%. They hand in the entire check. We've seen expense accounts from the deputy ministers, Mr Decter and others, and we have seen huge expense accounts. No one on the provincial government benches ever suggested that maybe only 50% of those should be eligible expense accounts. In fact, some would suggest that to reduce the private sector expense accounts is not inappropriate and others, I think, would say that it is quite mean-spirited.

Some of those who are quite upset by it are the restaurant industry in the province of Ontario, because this really is going to have a serious impact on the tourism and entertainment restaurant industry in Ontario. The reduction from 80% to 50% is a tax increase in disguise.

Let me tell those who are watching how this really works. What happens is, if a business is able to write off the expense, they take the chit from dinner, or whatever, and the business pays for it and then the business, as a business expense, is able to reduce their taxable portion by—it used to be 80%; now it is 50% of what the actual cost of the meal was.

What that means is that now the taxable benefit, or the taxable portion of the business and the requirement is higher. In fact, what this says is that the business has to pay tax on a higher amount because they're unable to deduct what had been considered previously legitimate expenses.

Whether or not we're going to get into a full debate on the benefits and the pros and the cons of a corporate tax at this point, I really don't think it's as significant as the tax itself at this point and also the fact that there have been numerous organizations that have looked at the minimum corporate tax and have given their advice to the government.

One of the organizations that looked at the whole issue of minimum corporate tax was the Institute of Chartered Accountants of Ontario. I'm not going to read into the record all of their report, but in fact the bottom line of their report, which was submitted to the Treasurer—and this is from the Institute of Chartered Accountants of Ontario—says: "In light of this"—that's their report—"we recommend that the government not proceed with a corporate minimum tax." Did the government listen to the Institute of Chartered Accountants? The answer's no.

One of the things we know is that in order to have economic prosperity and activity in the private sector you need to have a corporate business private sector that is feeling good, that has confidence, that is willing to invest in Ontario. When I see headlines such as this one from the Ottawa Citizen of May 20, 1993—this was following the announcement of the corporate minimum tax in the budget—we have: "Corporate Tax Enrages Business." That's the headline from the Ottawa Citizen.

When the corporate sector and the private sector react in that way, when they are feeling anger and when they are enraged or when you get that sense of unfairness or unreality that the government would continue to raise taxes at this time, yet again you have a climate and an environment which is not conducive to job creation, which we all know is so important.

1550

I would like to quote just a couple of small comments from the Institute of Chartered Accountants of Ontario. They had a working group on the retail sales tax and the goods and services tax. I would like to quote from page 10, because under "Corporate Taxation," they say, "There is fairly good evidence to suggest that the corporate income tax is, through shifting, paid mainly by customers, suppliers and employees of the corporation and that very little of the corporate tax actually falls on the corporate owners, except with small, closely held companies."

Then they say: "We are not in favour of the Ontario government's decision to proceed with implementing a corporate minimum tax. A corporate minimum tax which gives bona fide recognition to items like loss carry-forwards and exempts intercorporate dividends will of course raise little revenue, so its main advantage is, increasingly, people's perception of fairness in the tax system."

I think that's extremely important, and I have said I was going to be discussing "fair" and Bob Rae's notion of fairness. We heard the parliamentary assistant refer to this tax as being one which would bring greater fairness, and what I've just read from the Institute of Chartered Accountants of Ontario is saying that these sorts of moves bring a perception of fairness when in reality they do not bring fairness at all. I think it's important for us to listen to organizations such as the institute and others who would give the government advice about what is good and what is not good tax policy.

I have a notation from one of the major accounting organizations in the province. This was sent out at the end of the year, December 1993, and it really is a warning to their clients that says: "The Ontario corporate minimum tax proposals begin a new era of corporate taxation. Even so, and despite the stated objectives of simplicity and ease of administration, the corporate minimum tax proposals will impose additional administrative burden on affected corporations."

I said that Bill 146 would increase red tape and I've presented some evidence saying exactly that. If I could digress for just a minute, because this is about taxes and alternatives to taxation, one of the things the parliamentary assistant has said was, "What are some of your solutions?" I've tabled in the House before and I've read into the record recommendations from the Liberal minority report and also recommendations from the job task force, and I'm not going to do that again today. It's available and it's on the record, and I'm very proud of the responsible alternatives that have been provided by Lyn McLeod and the Ontario Liberal caucus to the economic and fiscal folly of the NDP.

But I would like to tell you about an incident that

happened to me recently. I had my wallet stolen, and in my wallet was every piece of personal identification I carried, my driver's licence, my social insurance number, my health card, my birth certificate, all my credit cards—every piece of personal identification. What I had to do on the Monday morning following that loss was fill out numerous forms, each one different, each one requesting identical information, and each one sent or hand-delivered to a different kiosk or office of government.

I understand why people are fed up. I understand why people don't have confidence in government. I understand why people don't like civil servants very much. I know why they don't like politicians very much. I also know the frustration of dealing with government. I know why people don't want to pay taxes and why the underground economy is growing. That is happening because of the frustration people have when they have contact with the government.

The story I would like to tell is about trying to get a driver's licence, a health card and a birth certificate. I'm going to tell the story of the health card first, because that's one that I have direct experience with.

As it happened, after I had lost my card I had need to go and have some blood tests done. It was the middle of winter, 22 degrees below, when I went to a downtown Toronto teaching hospital. Before I went, I called the ministry and said: "I've lost my health card. I want to make sure I do the right thing, that there's no hassle, so what should I do?" They said: "You go directly to the hospital. They'll give you a form. You fill out the form and you will have access to the services you need."

Well, I got to the hospital, I went to the patient registration, I told them my plight, and they said, "I'm sorry, but you can't have access without having your version code number." It was 22 degrees below, and they said, "You have to go to the second floor of the building across the road and get a new number." So there I went, across the road, 22 below, freezing cold, and I went in and they said to me when I got there: "You didn't have to come here. Here is the form. The hospital should have given you this form. If you just fill this form out, you can have access, get the services you need and everything is looked after."

I said to them: "Give me the form so I can take it back and give it to the hospital. Obviously, there was a miscommunication." They gave me an envelope filled with the new forms. I went back across the road to the hospital and I said to them at the patient registration: "Here is an envelope filled with the forms. If anyone else should happen to come to the hospital and tell you they've lost their card, this is the form I was referring to. All they have to do is fill it in."

Well, they gave me such an argument: "We don't do it that way. That's not our process and procedure." I thought to myself, this is a government-funded agency, a service the taxpayers in the province of Ontario are paying for, and here you have a situation where the needs of a patient were not being responded to because of some paperwork.

But the thing that really got to me was when an individual at the patient registry said, "I'm sorry, but our



hospital is a private institution and we don't have to follow any of the procedures or guidelines as set out by the ministry." I thought to myself, this is a problem, if in the province of Ontario a taxpayer is trying to access a service and they're being told, "It doesn't matter to us, the provider, what the rules and the regulations are."

I was a little frustrated that day but everything turned out just fine, but it's my understanding that not much has happened or changed and that if anybody goes to that particular hospital and has had their health card lost or stolen, in fact they are hassled.

1600

Then I had to go for a driver's licence. I decided to go for my driver's licence and my birth certificate at the same time. When I arrived—and I know exactly when it was because I was on committee that day. When I went into the Macdonald Block, into the room where you get your birth certificate, it was exactly 2 o'clock or shortly thereafter. I took my number and then I saw the big, long lineup, so I went across to the other side of the building and down a flight of stairs, because the two services are not next door to each other. When I went in to get my driver's licence, it was quite efficient and I was in and out in a matter of 10 minutes, and I thought, this is a very good way for people to be able to get their service from government.

But when I went back to get my birth certificate, I got my number at five minutes past 2 but was actually not seen until 10 to 4, almost two full hours. When I did actually get to the kiosk, I spent exactly three minutes, maybe less, with a very nice person who took the information from me, said yes, I was in the computer, and I would have my birth certificate mailed to me in short order. I received the certificate in the mail within the week, but I was very frustrated at having to wait in line for almost two hours.

I happened to mention this when I got to the committee I was sitting on. I mentioned it to the deputy minister of the treasury board. I am the critic for the treasury board. I said to him: "I just had this terrible experience going to get a birth certificate. I really wish you would take a look at doing that, because I would like to tell a better story when I'm in the House one day discussing tax bills."

I'm pleased to report today that the response from the deputy minister responsible for the birth registry department here at Queen's Park and the departments looked into the matter, and I think the situation has improved considerably.

It's an important story to tell here in the House because, as a member of the Legislature, I can make those complaints and something gets done. I have the opportunity to say to a deputy minister, "I don't like the service I'm getting." I understand why taxpayers are frustrated and I know why people don't want to pay their taxes and why they are engaging in tax evasion and tax avoidance in unprecedented numbers. It's because they feel they're not getting value for money from government. It's that simple.

I have the opportunity that very few Ontarians have.

The opportunity I have is to stand here in the House in public to tell these stories on television so that people hear, and they'll nod their heads and say: "Yes, that happened to me. I was equally frustrated and there was nothing I could do about it."

**Mr Mills:** You're almost encouraging people to cheat. That's what you're doing. That is disgraceful.

**Mrs Caplan:** The member from Durham across is suggesting—what is it that you're saying? That people should cheat? I don't think they should at all.

**Mr Mills:** You're suggesting it's in order to cheat. Cheating is good, you said. It's the government's fault.

**The Deputy Speaker:** Order. There's a period for questions and comments. The member for Durham East, you'll have an opportunity to voice your opinion after the member for Oriole has terminated her debate.

**Mrs Caplan:** The reason I'm pointing this out during this important tax debate and the reason I'm telling these stories is because I have the opportunity as a member of the Legislature to stand in my place and tell the government some of the things that are irritating taxpayers in this province. I have the opportunity to stand here and tell the government some of the things it's doing wrong and some of the things it's doing right.

I also have the opportunity to tell people who are watching this debate that a member of the official opposition can be very effective in getting things changed. I felt very proud of the fact that the response I received from ministry officials was positive.

Many of the barriers and much of the red tape we see is because of legislation that comes from ministers of the crown, like the Minister of Finance. We know that Bill 146 adds additional red tape just at a time when everyone is saying: "Eliminate unnecessary regulation, eliminate red tape, streamline the operation of government. Give both consumers and the business sector the feeling that they are getting value for their tax dollars."

As I wind up this debate today on Bill 146, I would like to leave the government with that message. As you talk about fairness, as you talk about the need for everyone paying their fair share, I would say to you that no one objects to paying their fair share if they feel they're getting fair value, and whether or not you understand that the people of Ontario today do not feel they're getting fair value is extremely important, because your policies are not reflecting the reality that exists in Ontario today.

I don't believe people want to cheat. I believe people want to pay their fair share, but people want to get value for their tax dollar. I believe corporations are willing to pay their fair share, but when you bring in these kinds of rules, which are seen to be mean-spirited or anti-business or anti-private sector, then the energies of the people of the province go into legitimate tax avoidance or illegitimate tax evasion.

Only by renewing the confidence in government, only by renewing the confidence of investors, only by renewing the confidence of consumers, only by doing those things which will tell the taxpayers that you understand how they're feeling, will you be able to create a climate where Ontario will once again prosper and flourish.

I will not be supporting Bill 146, because I don't think it achieves any of those objectives and I believe it will result in further job loss and further instability and insecurity in the province of Ontario, and what we need right now more than anything is a climate of confidence, a climate of security, a climate of stability and a climate of hope. Bill 146 will not achieve that.

**The Acting Speaker (Mr Noble Villeneuve):** Questions or comments?

**Mr Cousens:** I would like to know how the member for Oriole can explain the actions of her government when they were in power and the number of tax increases that were brought in. The member for Durham East was just saying it was 33 tax increases we had. I know, but it's a fact the New Democrats are aware of as well.

The words you say today have a ring of authority and truth, as you always have, but it has an inconsistency that goes back to—people say, "Oh the federal Conservatives did so much damage." One thing people have forgotten is that there was a stage there, and I forget the year, when the Finance minister for Canada decreased the federal income tax for Ontario taxpayers, and that year, as soon as it was to become effective, the provincial Liberals, the government of the day, took that tax away from Ontario taxpayers.

Everybody says, "The federal government did nothing for us," and may they rest in peace, the ones who were there. I realize a lot of history's gone on since October 25. But people don't remember—or know. They never saw the difference in their pocketbooks when the federal government actually reduced the federal income tax and, at the same time, coincident with that tax coming in, your government, the David Peterson Liberals and the Treasurer at the time, Mr Robert Nixon, came back and took away all the money the federal government had given to Ontario taxpayers of the time. Could you explain how your government did that with what you have just been telling us in the House?

1610

**Mr Mills:** I would just like to say that the comments coming from the member for Oriole suggested to me that she was living in some sort of fantasy land somewhere or in a time warp of yesteryear.

How someone can get up in this Legislature and stand in his or her place and go through—I was going to say something—the litany of losing a handbag and then moan and groan and say: "I went to the Minister of Health and he said fill in this form. It was 22 degrees. I was freezing to death. I didn't have a hat."

How can anyone stand up, in their right mind, and go through this litany to suggest that through the tremendous demands on the Ministry of Health, through the tremendous demands on the Ministry of Transportation etc—we have more people using the facilities—how anyone can stand up and say that the delay in getting the new health card, which incidentally was the minister's birth child, how she can stand there and say she's got some problem getting her driver's licence and keep a straight face is beyond me, but then to add something irritates me.

I like to think that most Ontarians, law-abiding, upright

citizens want to pay their fair share, want to play the game with the government of the day. How she can get up and parlay that into some excuse whereby the citizens of Ontario should cheat on their taxes or withhold payment because they're not getting the service is perhaps the most ludicrous thing that I've ever heard said in this House, and I've heard a few things, and I've heard a few things coming from the member for Oriole. Does she somehow think that this has just happened now?

**Mrs Margaret Marland (Mississauga South):** It's always really an educational experience to sit in the House and listen to the former cabinet ministers of the previous government speak. It's particularly interesting this afternoon because this member and I were both elected at the same time in 1985. I sat in the government for six weeks and then they, her party, the Liberals, promptly climbed into bed under the sheets with the NDP and formed the famous accord.

So any criticism that this current government has of the former government, they have only themselves to thank. It was the fact that the NDP was willing to get into bed with the Liberals and vice versa that gave us the famous 33 tax increases which have been referred to this afternoon.

It was that coalition, that accord, that gave us the Liberal government in the first place, and we do have both of these parties to thank for the situation that we're in today because, frankly, the people of Ontario were not fooled. They were not fooled by Premier Peterson in 1990, when he had 94 seats in this House, calling that election after three years and dropping instantly to 36 seats.

I think what the Speaker should remember is that the people of this province have had it. They have hit the wall in terms of taxes and taxation. Any government today in this province and this country who doesn't realize that will also be voted out of office, and that will be, I predict, the future of this current government in Ontario also.

**The Acting Speaker:** We can accommodate one final participant. The parliamentary assistant to the Minister of Finance and member for Oxford.

**Mr Sutherland:** I want to agree with the member for Mississauga South about the member for Oriole's comments about tax increases. It's almost like listening to the Tory party talk about mismanagement at the Workers' Compensation Board or Ontario Hydro being out of control.

I also want to respond to a few other comments the member for Oriole mentioned. She mentioned that their alternative is to do a 5% reduction. She didn't quite clarify whether that's 5% reduction on all taxes. Does that mean they're going to give out \$5 billion of revenue on the sales tax, dropping that from 8% to 3%? Does that mean they're going to drop income taxes 5% every year? I would be interested to hear in more detail how these new economics are going to be working from the Liberal Party of Ontario.

The member for Oriole also talked about meals and entertainment expenses being reduced and compared that



entertainment expenses being reduced and compared that to what goes on within the provincial government in terms of employees being reimbursed. Let me say two things regarding that.

First of all, in terms of the reductions in expenditures that the expenditure control plan has brought in and the government has brought in in the last couple of years, the vast majority of that is controlling those types of expenditures: travel, meals, all those things. Those budgets have been reduced dramatically. We know about expenditures for travel and hotels that were carried out by the previous Liberal government; they've been reduced. The second point is, when they're submitted, they're not allowed to be a tax deduction. They're just submitted and they are reimbursed.

Let me just again emphasize about the question of fairness. I still didn't get a clear definition, though, of what the Liberals thought tax fairness was. Again, that's like most of their other statements on things: vague, fuzzy, very broad, that it can mean anything to any situation.

**The Acting Speaker:** This completes questions or comments. The honourable member for Oriole has two minutes in response.

**Mrs Caplan:** I'd say to the member from Mississauga that I'm really sorry that Peterson called that election in the summer of 1990. If you want a public statement, I'm happy to make it.

The facts speak for themselves, however. While I say that nobody is perfect, I'm very proud of the fiscal record of the Liberal government from 1985 to 1990; an AAA credit rating is what the NDP inherited. Ontario led the western world in economic prosperity and growth during those years, and 700,000 jobs were created.

After 15 years of consecutive deficit budgeting by the Conservative government, the Provincial Auditor attested to the fact that the Liberals had the first fully balanced budget in 20 years. We had balanced operating budgets continuously from 1987 right on and the last balanced operating budget in this province was when the NDP, try as hard as they could—and they ran the deficit up to \$3 billion, but there was still an operating surplus in that year.

I mentioned the different forms that were out there. I believe so strongly that we can streamline things and have one form for government licensing instead of a dozen different forms for a dozen different ministries. We can provide alternative suggestions and ideas to this government on how it can simplify governing and government and give taxpayers better value for money and less frustration.

I know that members in the House don't want to remember the positive such as the elimination of OHIP premiums and the fact that we had the kind of prosperity in Ontario that we would only dream to see return to Ontario.

As we end this debate, I know that the word "fair" hopefully will ring true as opposed to the contaminated version we hear from the NDP.

**The Acting Speaker:** Thank you. The time allotted

has now elapsed. Further debate?

**Mr Cousens:** I wonder why it is I was allowed to ask in my 90-second clip—and I asked the member for Oriole how could you justify what you just said based on your own Liberal record. Did you notice—

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** With a deficit.

**Mr Cousens:** It's a skill-testing question, Marilyn, and to all honourable members. Did you notice—

*Interjection.*

**Mr Cousens:** I don't blame them.

**The Acting Speaker:** Order, please. Would the honourable member address the Chair.

**Mr Cousens:** Yes, I will. The only thing is—

**Mrs Marland:** Excuse me, I have a point of order, Mr Speaker: I think that the comments the member for Markham is about to begin should be heard by more than nine members in this House.

**The Acting Speaker:** Are you requesting a quorum?

**Mrs Marland:** Yes. There are nine members here.

**The Acting Speaker:** Could the clerk please check if we have a quorum.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present.

*The Acting Speaker ordered the bells rung.*

1620

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** The honourable member for Halton North on a point of order.

**Mr Noel Duignan (Halton North):** On a point of order, Mr Speaker: Seeing that there is now a quorum, shouldn't there be a member of the official opposition, the Liberal Party, present in the chamber to make up that quorum?

**The Acting Speaker:** It's not a point of order. The total number is what counts. We do now have sufficient numbers and we proceed. The honourable member for Markham.

**Mr Cousens:** Before I deal with the bill, I just want to refer briefly to the remarks by the previous member. It's not often that you have a chance to follow on from the Liberals when they've just had the floor.

I specifically asked the member for Oriole, the former Minister of Health of the David Peterson government, how they could rationalize her own tax policies during the Peterson years with what she is saying today about the tax policies of this government. I also asked how the honourable member from Oriole could rationalize the way in which the one time when the federal Conservatives did a favour to people which they could see in their pocketbook, when the federal Conservatives reduced the income tax, at the date that was to become effective, David Peterson's Liberals took it all away.

You can come along and say, "We want to do something about taxation policy in the province of Ontario," but when your history is one where you have added to the taxes and you have built on it, without really putting

it into perspective—then the closing remarks from the honourable member from Oriole said, “We had a balanced budget.” They had a balanced budget the year they had \$800 million come back from the federal government. They didn’t even know it was coming. That’s what really allowed them to balance the budget. What a boondoggle that was, and so the books looked good. Why? Because federal transfer payments came down and helped the province. We could use a few today, but there isn’t any government rich enough to pay for Ontario’s overspending.

There’s no doubt that Ontario is digging a bigger and bigger hole for itself right now, and in fact we are digging a hole to the extent of almost \$1 billion a month that we’re overspending. One billion dollars a month is about the right number, and that is just unforgivable. As soon as you have the kind of deficit that you have for Ontario, building as it is—and I went into it the other day so I’m not repeating that speech. But the point stands: This government is spending beyond our means, it’s spending beyond our children’s means, it’s spending beyond what we’re capable of living and affording.

We have a problem and the problem has to do with the whole fiscal policy of Bob Rae’s government—Floyd Laughren, the whole bunch of them. What they’ve done is forced Ontario into a whole new state of emergency by virtue of the fact that in the last three years we have seen Ontario’s credit rating go down three times, and it’s probably going to be faced with another kind of review.

In fact this time of year, prior to the budget and around budget time, is when the international agencies look at a jurisdiction’s rating. If we don’t do something to fight the deficit and to get our financial house in order, we are going to be in more serious trouble than we’ve been in for the last several years.

We are coming out of the recession. We are moving into a stronger time. There is a new confidence beginning to develop. But I don’t see a long-term solution in sight when someone says, “We’re going to reduce taxes by 5% over five years.” That doesn’t even keep up with inflation. It doesn’t keep up with the cost-of-living index increases.

We have to come along and have a review of what is needed, what is important, what is urgent, what is a priority, to get rid of the waste in Ontario, trim down government. Bob Rae’s government never did anything about the huge hiring policies that the previous Liberal government had. The previous Liberals added about 10,000 more public servants to the payroll during their five years, and I haven’t got the numbers from the New Democrats, but there were 10,000 added, and how many of that 10,000 have been removed? We can’t afford to have such a large bureaucracy, such a duplication of different levels of government as is going on today. We in Ontario are paying the piper. It’s costing us too much.

The issue now, today, is the intent and the purpose of this bill before the House. It’s called Bill 146, An Act to amend the Corporations Tax Act, brought out March 30, 1994. It was the combining of two bills, Bill 66 and Bill 133, into one bill.

I’m fascinated. When this bill was originally presented

to the House on December 8, 1993, the honourable Minister of Finance, a good friend of mine but of a different political philosophy, came through, and I just want to put his statement on the record and take a moment to tell you what I think of what he said.

This is Mr Laughren. He says, “Later this afternoon I will table a bill....With this legislation, we are acting on a promise made in the budget that I presented last May. At that time we pledged”—here’s what he said—“that large profitable firms in Ontario will pay at least some minimum amount of corporate income tax.”

I would like to explode the lie in that one, “that large profitable firms....” It’s the New Democrats coming out right at the beginning declaring war on businesses that make a profit. What we should be doing in government is creating a climate where business will make a profit, rather than coming along and saying anyone who does is almost a criminal and, “We’ll tax it back, we’ll take it back, we’ll claw it back.” So what they’re really saying is that large profit, that’s bad as far as they’re concerned; if you’re small and poor, that’s what’s good.

I wish I could remember the joke that was out a few years ago: How do you get a small company going? What you do is buy a large one and let the province just tax you to death, and then you’ll have a small one.

We are in a state known as Ontario where the large profitable firms have already been hit many times over. It may not just be in the tax structure; it is in the employment equity, in pay equity, in labour legislation, in Bill 40, in numerous other ways, all forms of compliance that they have to have: extra levies that they all have to pay for workers’ compensation, the extra costs for employee health tax, the extra costs for all the other taxes that are being laid upon them. You’ve got municipal taxes. You’ve got taxes that are laid on them to do business.

Now Mr Floyd Laughren, Minister of Finance, says, “Now we’re going to do something about those large profitable firms in Ontario.” I’ll tell you, if you’re an outsider looking in on Ontario—we’re very fortunate that some are still looking at Ontario, and I want them to come here, because certainly at the end of this government’s tenure we’ll try to establish a better environment for business. We must have a better environment for business. You can’t just come along and say you’re pro-employee. You’ve got to be both pro-employee and pro-employer and have balance in the development of your policies that allow the two to work in harmony.

John Bulloch, who is with the Canadian Federation of Independent Business, talks about this. He says it’s probably the only jurisdiction in western society in which you have a government pledged to work for the employee and which has little, if any, understanding for the employer. That’s the balance that’s been missing for so long with this government.

Again, when Mr Laughren announced what he was going to be doing—go after large, go after profitable—they are the ones they’re going after. When he described in his opening remarks, “Today’s legislation accomplishes what we set out to do,” oh, yes. One thing that has happened, when this government took over on September 6, 1990, it set out with the Agenda for People, and this



was in the Agenda for People. So the people of Ontario shouldn't be surprised. This is not like so many other reversals of government policy, where they said one thing before they were elected and then did another thing afterwards. Before they were elected they were going to do something about auto insurance and make it public, then they were going to do something different for—

*Interjections.*

1630

**The Acting Speaker:** Order, please. The member for Markham has the floor. Other members will have the opportunity of questioning or replying.

**Mr Cousens:** So then the Treasurer, the Minister of Finance, makes three points. This bill will help “to ensure tax fairness, the cornerstone of our tax policies.” What gobbledegook. What empty—tax fairness. I venture to say there isn't any such thing as a fair tax. The tax that they just described is a tax to the rich; that becomes fair. Tax fairness, the cornerstone of their policy. You look at their policies, and there isn't anything that I would want to hang my hat on. They're having to reverse—and thank goodness they are, but it's one of the few times we'll be debating further the bill for all the different tax increases for last year and the one on home brews and wine making, where they've reduced the tax on that one.

But how difficult it was to get the message across. Well over 100 of them have had to close down because of this fair taxation policy of the NDP government. There's no such thing as a cornerstone of their tax policies. Their tax policies go back to the previous sentence, tax the “large profitable firms.”

The next point that he makes is about the important role. We acknowledge “the important role of the private sector, particularly small businesses.” So in other words, with this corporate minimum tax, small businesses won't be hurt. I will come to some prepared studies that have been done on behalf of the Canadian Federation of Independent Business and how they have demonstrated that this corporate minimum tax does in fact hit small businesses in Ontario. So when Mr Laughren can stand in the House and say this with his nice guy approach, that is wrong for him to make that statement that he's not hurting small business. I'll show you shortly how in fact this bill does impact small business.

“Our corporate minimum tax will stop big, profitable companies from taking advantage of tax preferences to the point where they pay little or no corporate income tax.” What they're doing, there are some companies and there are different ways in which they're paying their taxes. This government hasn't acknowledged any of the contributions that they are making. I have to say that there are other ways of going after them than starting up a whole new type of tax, and I'll come to that as well.

Then the exaggerations, the three exaggerations. He says that “it will not hamper the current recovery.” I venture to say that every tax has an impact on the recovery of Ontario's health. The tax that we're talking about here is just a further disincentive for outside businesses to invest in the province of Ontario. We're anxious to invite investors from China, Hong Kong,

Europe, all parts of the world to invest in Ontario. What they do—they've got a very good system—they'll look at Ontario and say, “Well, how much tax is being collected by that government versus New York state, versus Quebec, versus another country?” If in fact Ontario is higher in all these levels, why, then, should they invest in Ontario? Why should outside investors put their money into a jurisdiction that's going to tax them more heavily than any of the others in western society or in the world?

That becomes part of the lie of this government, where they say “it will not hamper the current recovery.” I know for a fact that the outside investors are very wise in how they invest their money, and they're able to tell you far more closely than we, who are inside here, could begin to know just how we compare and compete with other jurisdictions.

He says he doesn't want to “discourage investment in our future.” This does discourage investment in our future. The very people we want to come and invest in Ontario, who have the money, are being turned off because, once again, we have taken more of their share.

He says “impair”; he doesn't want to “impair Ontario's tax competitiveness.” The moment you increase our taxes even higher, you're making us less competitive.

These are the words the Treasurer used in his remarks in December. I say it is almost contempt of the House for the Treasurer to come in and make those three statements: It won't “hamper the current recovery”—it does—it won't “discourage investment in our future”—it does—or it won't “impair Ontario's tax competitiveness”—it does. These are the kind of half-truths that come out of the mouths of politicians. Is it any wonder that people have great concern about what is said?

It's almost like the federal government saying, “We're helping Quebec.” The Shawinigan deal that Mr Chrétien is putting in—\$4 million into Shawinigan—it's been shown and demonstrated it's a political gesture by the federal government. It doesn't have any purpose beyond what it's doing, and yet the federal Liberal Party is doing it. The words that come out of their mouths to justify it are just as bad as the ones that came out of the federal Conservatives' mouths when they put the prison in Brian Mulroney's riding. Let's be consistent and let's come along and develop policies that have integrity behind them and credibility of the politicians. Don't just say things because they sound good; say them because they're right, they're true and they're honest.

Is it any wonder the public have a diminished sense of value in their politicians when we make the kind of statements that Mr Laughren made when he announced this bill? Then he says it will only apply to large firms. I will get back to that further in my remarks, because when he takes a look at the assets of companies that have \$5 million and says, “Anyone who has that kind of asset,” wait till you see what we can show you. He's touching small companies as well.

“It targets only those...firms that are profitable.” Isn't that something? Anyone who makes a dollar in this jurisdiction better get ready to have it taxed away, better get ready for the government to come along and put it into its own little coffers.

There are many different aspects to Bill 146. I'm going to deal mostly in my remarks with the parts that pertain to the corporate minimum tax, but it does include a few other little dandies. It has the meals and entertainment deduction. I'm surprised no one's even talked about this. Tax deductions on meals and entertainment expenses are reduced from 80% to 50%.

I sincerely hope our Tourism critic will be talking about this, and I hope other members of our caucus will take a moment or two to look at the impact on the hospitality industry, which is an important part of Ontario's economy. It's in the top three. It changes as the automotive sector improves, but tourism is a large part of what Ontario's economy is all about. A large part of that is for those companies that will be at conventions in Ontario cities, and Ontario-based organizations that are sending their people to do business in other places would look for a form of write-off on those expenses.

It wasn't that long ago that it was the Liberals who moved it from 100% write-off to 80% write-off. Talk to restaurateurs and ask them what happened when they lost the 100% write-off, where if businesses were doing entertaining at noonhour or evening over dinner, that expense was 100% deductible off their taxes. Then, there was more business being done over lunch and at mealtime. When the government reduced it to 80%, that reduced the amount of business done in restaurants.

How many people did you hurt? I'll tell you, the government at that time hurt a lot of the small businesses and some of the large restaurants as well. It was a form of expenditure that, because it could be written off, was also feeding another one of our major systems, the whole restaurant industry.

So now the government, effective the beginning of this year, 1994, will not allow even an 80% write-off on costs of doing businesses in the hospitality industry. It's reduced from 80% to 50%. It will impact the hospitality industry in Ontario. Ontario businesses are going to be saying to their employees: "Look, we just can't afford to have you having lunch or entertaining someone in that way. It's now going to be more carried by our costs of doing business, so reduce it." And when they reduce it, it reduces the amount of business that industry does and again reduces the whole net economy of the province of Ontario. It's less circulation of money for people who are feeding the system.

1640

What it does is allow the government to get more of that money: Less money on the street, less money to help business. The people they're hurting with this are the very people you'd think the New Democrats would want to help, the small businessmen. The majority of the small restaurants are mom and pop organizations, family organizations, people who are just doing a good thing, working hard. But now they've had the government that says, "We're out to help you"—yes, they're out to help them take the money out of their pockets and put it in the government's pocket. I have a genuine concern that the government, by making this move in the budget, is increasing the amount of money it will take out of expenses for meals and entertainment.

There are a number of other aspects to the bill, and I'll just touch on them briefly. It is quite a complicated bill when you start realizing just how large it is. The bill is 75 pages of small print and it does go into quite a large number of areas. The one I will spend most of my time on happens to be the corporate minimum tax, but it touches on all the different surtaxes.

I compliment the government that it is modernizing the systems of filing tax returns on computer disc and using electronic media. It's a little bit late, but better late than never, and we're in a position where we have to find new ways where you can use facsimile and other processes to get your data quickly to the government. I notice people are getting their federal income taxes back much faster this year than before, using the electronic systems.

This bill imposes a temporary surtax on banks for taxation years ending after April 30, 1992, and commencing before November 1. It's another surtax there.

It reduces the small business income tax rate from 10% to 9.5% for taxation years after April 30, 1992.

It increases the rate of the surtax on Canadian-controlled private corporations with a taxable income exceeding \$200,000 from 3.7% to 4%.

Those all sound like small numbers, but when you have a big budget and high costs, 0.5% or 0.3% becomes significant, especially when there are so many other taxes that are impacting business.

It's reducing the tax rate from 14.5% to 13.5% on income from manufacturing and processing, mining, farming, logging and fishing for taxation years ending after December 31.

It's reducing the paid-up capital for capital tax purposes of bank mortgages. It's increasing the rate of capital tax on banks from 1% to 1.2% for taxation years after April 30, 1992. A lot of people are very quick to criticize the banks, but here again banks are having to pay their share. People say, "They don't have to pay anything." They pay.

They have standardized the administrative penalty for late-filed tax returns by changing the penalty from 10% of the balance of the tax owing for the year to a much larger amount. They have paralleled some of their methods with the federal taxes.

And it goes on. It is a very complicated bill. I've only touched on a few of the different components of the bill, but it begins to show you that when the government has a way of taking its comb through business, it just doesn't let any fleas stay in the hair. They're picking up all the things they can to see what they can garner.

This bill implements a new tax on life insurance corporations, called a special additional tax, computed at the rate of 1.25% of the taxable capital for taxation years ending after April 30, 1992. That too will net about \$15 million to \$20 million.

When you start looking at it, people say, "Well, we're all being gouged." Yes, we are. And then they say, "Well, the government will announce this as a new, fair tax." There's no such thing as a fair tax. What we're dealing with is another way for the government to get money.



The Fair Tax Commission also did a review of the corporate minimum tax, and I refer to this tome, its report that came out, *Fair Taxation in a Changing World*. Their remarks on page 437 are salient to the point I'm trying to make, and I would like to put this into the record. It has to do with the corporate minimum tax that is implicit in part of Bill 146.

"However, as several members of the Corporate Minimum Tax Working Group observed, it has a number of serious shortcomings. Not only does it tend to be complex, but the option introduces a limit or clawback on incentives that governments have deliberately introduced to advance economic or social policy goals."

Therefore the government has said to businesses, "We want to see you grow, we want to see you build, we want to see you expand, we want to see you do all those things," but the moment they do, it's like the cat having given the mouse just a little room to play with: The paw is ready to drop, to take it all back plus a bit more.

"In general, we conclude that the introduction of this type of minimum tax does little more than introduce a second income tax structure."

Dig that: a second income tax structure. What we're beginning now is the beginning of something that will be a much larger form of taxation for this government. Isn't it funny? I haven't been a student of tax for all that long, but taxes originally were to pay for certain basic services, and then when there was a war they started collecting more tax for that, but now taxation is such an incredibly large part of what our lives are all about and what government's all about.

Once you start the new corporate minimum tax, it just opens the door for its continuation. In fact, the government's done it that way. They start off small, with a small percentage in the first year but increasing it over a period of three years, so at the end of three years this corporate minimum tax is not going to be all that minimum to the people who are having to pay.

"Over time, this new tax is unlikely to be any more effective than the regular income tax in dealing with the complex issues of what should be included in the tax base for corporate income tax."

In other words, here are the people sent out by Floyd Laughren, and he spent millions of dollars to get them to do a report, and they're saying: "This isn't going to solve the problem. There are other ways in which you could have dealt with it."

The report goes on to say: "Although we have considerable sympathy with the aim of this tax in attempting to deal with the problem of non-taxpaying and low-taxpaying profitable corporations, we are convinced that explicit recognition and a vigorous assessment of tax expenditures will deal with this blatant unfairness in the tax system better than the application of a further corporate tax."

I'm with them. Mr Laughren in his remarks at the very beginning, as I explained in December, said, "We're going after the large profitable corporations." If there are some that have found loopholes that have gone so far that they have an advantage over and above everybody else,

then let's go after them, but to levy this new tax, which is going to have the impact it will have, is quite another question.

So we lead to the comments that I would like to make on the Ontario corporate minimum tax. I received excellent dialogue from the major accounting houses, and they do an excellent job for business to try to explain just what the impact is going to be on the different taxes as they come out. This is a provincial tax bulletin that was put out by Ernst and Young in December 1993.

**Mr Mills:** On a point of order, Mr Speaker: I refer to the standing orders of the Legislative Assembly, chapter 6, specifically 23(d). That standing order suggests that reports read into legislative debate, such as the honourable member is doing now, is not allowed. This goes on and on and on. My idea of debate is spirited debate, not reading from documents. It's against the standing orders, and I ask you to rule on that, Mr Speaker.

1650

**The Acting Speaker:** The Speaker will certainly allow the member to refer from time to time to a report which he is referring to. He is also participating in the debate, and in my opinion he is very much in order.

**Mr Cousens:** I don't know. If the honourable member's concern is that you don't have some reference point and some basis for your study, even to give references you're working from, that's also part of the lunacy. Maybe the problem we've got with this cut-flower government is that it doesn't have roots. They're afraid to admit who it is they get advice from. I'm quite prepared to acknowledge that I personally don't have all the knowledge on financial affairs, but I am prepared to listen and refer to others who have been far more involved in this.

Mr Speaker, if there is any way in which I am in breach of the rules of the House, I would be the first to try to correct it. I have to believe it is our responsibility as legislators to do our research. In fact, I have a number of references I want to make to work done by others who have been working on this issue far more. I take offence at the member for Durham East saying you can't refer to any other documents. If you're dealing with the kind of debate he's talking about, all you're going to be doing is yelling at each other. I would at least like to draw upon certain resources that assist me. So I thank you for allowing me to continue.

In the bulletin from Ernst and Young, it said the purpose of the corporate minimum tax is "to maintain the perception of fairness in the Ontario corporate income tax system." Isn't that funny: the perception of fairness. That's probably, as much as anything, what Mr Laughren said in his opening statement on December 8. They're more interested in perceptions than they are in the real work of trying to work out a system that's going to balance the books and cause people to have confidence in Ontario's fiscal policy. In fact, all they're trying to do is a public relations scam that will satisfy the needs of the unions to say, "At least you've gone after the big corporations."

It's a sop, a sop to other groups, that allows the

government to say, "Hey, we've taxed here, we've taxed there, but notice how we've taxed the big guys." That's a way of this government trying to appease the different pressure groups and interest groups that are putting pressure on them.

"Corporate minimum tax will minimize these costs. It should be recognized that using the CMT to maintain the perceived fairness of the tax system is done at a cost." And that's the point: It's done at a great cost.

"The corporate minimum tax applies to corporations subject to regular Ontario corporate income tax which have more than either \$5 million in assets at the end of the year or \$10 million in total revenue during that year."

Stop and think about that, and this is one of the things I'll be referring to shortly. When you start realizing that the corporate minimum tax will then apply to any corporation in Ontario, this is where you're going to see that it's no longer just the large systems. Small corporations with 10, 20, 30 employees may well fall within the guidelines because of their investments, the property, the equipment. The assets they have will put them into the category of being \$5-million corporations, when in fact the revenue they're taking out of it, the money they're able to take into their own pocket is minimal.

The conclusion of this report was: "The Ontario corporate minimum tax proposals begin a new era in corporate taxation. Even so, and despite the stated objective of simplicity and ease of administration, the corporate minimum tax proposals will impose additional administrative burden on affected corporations."

And there is no doubt that it will impose an extra burden. Every tax places a greater burden on the companies that have to pay it, not only the business of understanding the tax, making sure your books are balanced off against the tax—the compliance factor and the cost to comply for businesses is just one of the high costs of doing business in Ontario. The government says, "Oh, it's going to be easy." It isn't all that easy. They made it somewhat simplified by virtue of not forcing corporations to have a special audited statement from which the CMT would be taken, but notwithstanding that, the province of Ontario does again place pressure on them.

I'd like to refer as well, and again the member for Durham East does not want me to refer to any documents, but I find this letter from Vern Penner, president of the Markham Board of Trade, as good a statement as any. As the member for the riding of Markham, I think it's worthwhile noting the kind of thinking that business people from within my riding are having that makes me feel right and good that I'm on the same side of the fence as are those business people.

He writes this letter to Mr Rae on December 9:

"The recent announcement of your government's plan to again tax our corporations in Ontario is disturbing to say the least. With the present tax rate, the new corporate tax, the Ontario labour relations regulations, the workers' compensation increases, the employment equity programs, to name a few, businesses certainly will not be attracted to Ontario. Those here are already going through ex-

tremely difficult times and are downsizing and laying off staff to try to manage through these poor economic times.

"Your government strategy and programs are making it so difficult in Ontario that businesses are moving out of the province rather than into it.

"On behalf of our members, we urge you to develop and implement a program that will help businesses, not make it so difficult that they either go bankrupt or move. Businesses and the economy have to be revitalized. Otherwise your government's training programs will be worthless for if businesses continue their layoffs and no new companies move into the province, where will your retrained people work?

"We anticipate receiving a plan from you indicating how your government intends to revitalize the economy to assist businesses."

A fair letter, a fair statement saying, "We've reached the tax wall." Where is your government when it comes to doing something to help business, to cut red tape? Where are you when it comes to helping business to grow? What are you doing to create a better climate for business? How can you justify imposing this tax when it's so anti-business? All it's doing is taking away jobs and cutting into our future.

The Canadian Federation of Independent Business did an extensive research, which it shared with Mr Laughren, on September 30, 1993. They were working from the budget document that allowed them to understand what the impact was going to be of the CMT and they surveyed their membership.

They attach a copy of their survey, but I'll just touch on some of the highlights. Nearly 86% of the respondents of the survey that they had last summer indicated their opposition, of which 64% were strongly opposed to the corporate minimum tax. Some 8.5% favour the corporate minimum tax while 5.8% were undecided.

Members commented that the real answers to addressing our problems lie in reducing government spending, reducing government bureaucracy and reducing the tax burden on businesses. Concern was expressed about the government extracting \$100 million annually from the business sector instead of allowing it to be productively reinvested. Some members predicted that the corporate minimum tax will drive more businesses out of Ontario.

According to one of their other questions, their members favour "government efforts to modify the corporate tax preferences directly." That is 69.5% as opposed to layering on a new complicated tax calculation.

1700

Who is there in that government to stand up for the special-interest group known as profitable businesses in Ontario? There isn't anyone from within the government, because they're all on the dole. They're not out there. They have not appreciated the kind of thing it takes to run a business. They haven't met a payroll. All the socialists of Ontario can do is think of more ways of taking money away from people. What you have to look at is that these are the people—unfortunately they have no understanding of what big business is all about.

Another comment that was made by CFIB:



"To respond to members in both situations, CFIB strongly urges the government to raise the gross revenue and total asset thresholds with the advantage that more smaller businesses could be spared the time and cost of performing the corporate minimum tax calculation."

Okay, now this is where I want to get into one of the earlier points I'd touched upon, that this tax is not only for the large corporations, it is in fact a tax that is going to impact small companies as well. This was in a subsequent document that was prepared by the Canadian Federation of Independent Business, and I have to believe that if their data are correct, they point to the profile of what is a small business.

I'd like to just read this into the record:

"We have analysed the profile of small businesses, using a run on their own data against the membership of the Canadian Federation of Independent Business. The first observation is that of these small firms, with a total number of employees of five to 19, which are caught by the corporate minimum tax threshold, some 72% have sales in the modest range of \$2 million to \$4.9 million."

It's obviously the \$5-million asset threshold which is capturing these small enterprises. What's happening is that because they also have other assets—property, equipment, machinery, these things become assets—it goes into the total cost of what the business is all about.

If you're a contractor, a roadbuilder—and I've known quite a number of them—they've got a huge outlay in equipment because they buy their equipment from their operating capital and then they have it. It will sit there in their yard, unused until they get another job, but they're going to be taxed on the prorated value of that asset, and even though they may not be making any money, or money to speak of—it might be poor and lean economic times—because their assets are so large they will be brought into the umbrella of having to pay the corporate minimum tax.

There are obviously various factors which cause these small firms to have assets of over \$5 million. One can deduce, in some instances, that costly inventories are the reason. Other firms must invest in expensive heavy equipment or sizeable tracts of land to carry out their work. Still others have made the decision to buy rather than lease their facilities. It is highly unfair that these smaller businesses should be penalized for the basic operating realities in their line of work.

It must be emphasized that merely having total assets in excess of \$5 million does not suggest that the firm is well off financially. I make that point: Just because a company has over \$5 million in assets, it does not mean they are financially well off, yet they fall into the guidelines of the corporate minimum tax and they will then have that extra levy laid upon them. It does nothing to promote jobs, it does nothing to promote the economy, it does nothing to them; it's just because they fall into this very low-level guideline.

I therefore say to the honourable parliamentary assistant and to the Treasurer and all those across the floor, look at ways of increasing. If you're going to make a change to the corporate minimum tax and you say you're

just going to hit the large corporations, then be consistent with what the Treasurer said in his statement on December 8, and go for the large ones.

What you're doing is taking the net out to capture many that are not large. They are small by comparison—the small number of employees—but because they have assets in excess of maybe what the government thinks they should have, either in the property or the heavy equipment—I think the classic case is that of the roadbuilder. The roadbuilder has that heavy equipment, uses it for a short period of time every year, but there it is; it's a high cost.

The developers I know have huge tracts of land that are set aside which they've invested in. There's a certain amount of land-banking that goes on so that as time evolves, they'll be able to receive approvals to have that land developed. Already in Ontario it takes an inordinate amount of time to get approvals to develop property, to get the official plan changed, to have the amendments changed. You go through the 43 or 46 different levels of bureaucracy to get an approval for a land development of some kind. It just takes years.

Because that corporation happens to have an investment in property in excess of several million dollars, if it's over \$5 million, and all the money's tied up in property and that is the case, and the property is mostly owned by the banks—they own the property—now on top of the high cost of paying for the property while they're waiting to get it developed, while they're waiting to get it processed, they too will have a corporate minimum tax laid upon them. Is there any other reason why you do it except to almost say, "Well, they've got more than the rest of the small guys, so let's go after them"?

There's an offence in the thinking of this government that is really the underlying concern that I have. They came through in this House and said, "This is our new fair policy of taxation and we are only going to be going after the large, profitable corporations." The moment they said the assets had to be over \$5 million—I don't have \$5 million. I don't think Gerry Phillips has \$5 million.

We also respect the importance of having those small businesses that have some assets and have some worth around \$5 million so they can do something with it. Then they can invest it and they can build upon it and grow it, but not with this government. They're saying, "We're going to hit you again." How else do you say it?

All I can tell you is that I have fought this right from the beginning, and I know that my breath is in vain.

**Mr Anthony Perruzza (Downsview):** No, it's not. You're on television for an hour and a half today and running into municipalities—

**The Acting Speaker:** Order, please. The member for Markham has the floor. Interjections are out of order.

**Mr Cousens:** The frustration I have is that all our efforts in opposition really don't result in changes to tax bills. The government has a way of whipping the members and will bring them into the House, and at the appropriate time, if it turns out that we talk too much on this side of the House, the government brings in closure and says, "No more talking on that; we're going to do it

anyway." Even though the government, when it was in opposition, would go on and on and on, we are at least trying to take the responsible tack to tell you as members of the government that we have genuine concerns about this tax. I have concerns about the whole taxation policy. I have concerns about the spending policy of the government. I have many, many concerns.

I could go on longer but I feel that the point has been made. I'll just highlight it and close off.

This bill, Bill 146, has many ingredients to it. The first is that it's going to hit the hospitality industry in Ontario, reducing the amount of deductions that people can have for hospitality, for entertainment and meals, from 80% to 50%. That is going to hurt the restaurants, the people I know in Unionville, Markham, Thornhill, Toronto, Guelph and Cornwall, because every one of those communities and all the communities in Ontario have business people who come into their establishments to buy a meal which could come out as a business expense. They're out of town overnight and while they're overnight they have certain expenses. They could normally claim that. The companies now will have to reduce the amount of claim to only 50% instead of 80%. I'll tell you, that's just another cost of doing business.

The second point I've made, and I've tried to make it clear, is that this government, with the corporate minimum tax, is again starting a brand-new tax structure, a brand-new approach in order to collect money, and in so doing, it just opens the door for the problem that Ontario will be less competitive with other jurisdictions. Corporations will now see Ontario as even less attractive as a place to invest. This tax bill itself will touch upon corporations that are not just the large, profitable ones; it'll touch on small ones as well.

It's just too bad we can't do more to fight it. I can tell you this much: Once a bill like this is passed and once the government gets its claws into someone's wallet, there won't be any government that reverses it. So we're stuck with it.

**Mr Allan K. McLean (Simcoe East):** The corporation tax.

1710

**Mr Cousens:** Yes, the minimum corporation tax.

**Mr Perruzza:** You mean not even Mike Harris is going to do that, the tax fighter?

**Mr Cousens:** Because at that point there's going to be so much to do—we can hopefully freeze taxes, but beyond, you haven't seen a government yet roll back taxes. You can have the Liberals make the promise that they're going to roll back taxes by 5% in the next several years. Well, who knows whether that'll happen? We have seen all the promises that politicians make that have to do with tax rollbacks.

I'm concerned that here is just another one of the eroding factors to Ontario's success. I've spoken against it; I'll continue to feel strongly about it. I feel that people like the Canadian Federation of Independent Business, the Fair Tax Commission, the established accounting agencies, my own board of trade and others have all had strong things to say about this tax. It's wrong. It's wrong-

minded. It's badly implemented. I will vote against it and I just sincerely hope that some of the members on the government benches will think twice about it.

**The Acting Speaker (Ms Margaret H. Harrington):** Now we have time for questions or comments.

**Mr Gilles Bisson (Cochrane South):** I just couldn't hesitate but to comment on the speech given by my honourable colleague on the other side.

I just want to touch on the one thing, and that's this whole question of eroding confidence of the business community and investors in the province of Ontario. If you were to listen to the members of the opposition speak, and particularly the speech of the previous member, nobody is willing to invest in Ontario any more because for some God-awful reason this present government has changed everything so badly that nobody wants to come any more.

I just want to bring a couple of facts to light. Right now in my riding, the riding of Cochrane South, we have major private sector investment going on, probably in the neighbourhood of \$500 million to \$700 million, depending on how the numbers play out. That's not a bad record considering that even in the heydays in my riding we'd never seen anywhere near those numbers.

So we're seeing people invest in the province of Ontario because they understand that Ontario is a good place to do business. When you come to Ontario you have the stability of an economy that is vibrant, that works; you have a workforce that's well trained; you have the confidence of the business community in order to get things done. In the end, investors will invest where you can make money. That's the bottom line here, that you can make money in the province of Ontario like you can nowhere else in some cases.

I want to also just touch a little bit on this whole notion that the opposition is trying to put forward in regard to, well, let's just keep on scaring the voter out there by saying nobody will come and invest any more. It's a little bit like the analogy of real estate salesmen. We're two real estate agencies. I've got the listing and I'm trying to sell the house, and you as my opposition are out there saying, "You know, you shouldn't buy that house because the paint's not quite yellow enough and the windows aren't quite clear enough," and you just keep on bad-mouthing the deal to the point of trying to scare the investor away from me and get him over to you.

I think we really need to be careful when we do that, because in the end we are all salesmen of the province of Ontario, either opposition members or government, and what we should be doing is that, yes, we've got to talk frankly about some of our problems, but we should be trying to increase investment by trying to talk positively about this province.

**Mr McLean:** I want to comment briefly on the remarks made by the member for Markham. I want to say that the minimum corporate tax act that you're dealing with is going to be a detriment to business. It's going to be a detriment to our tourist industry.

When you look at the percentage for people who entertain, who want to take out their guests, going from



80% to 50%, if you think that isn't going to have an effect on downtown Metro Toronto urban areas, on business, it will.

The other aspect of this bill has to do really with regard to the tourism. When we look at the corporate rates for the 1992 budget, no change in the basic corporate tax rate. But now we're looking at a three-year phase-in of 2% in 1994, 3% in 1995 and 4% in 1996. So when we look at the increase that's going to take place over the years, they're looking at over \$100 million when it's fully implemented: \$100 million out of the corporations that wanted to create jobs, that wanted to expand their business and keep the jobs here in Ontario. With this added tax, it's not going to happen.

Our position has been that we should be decreasing some of the taxes. The Treasurer the other day, not too long ago, said that with regard to the tax taken off the you-brews, from 26 cents to 13 cents. Those people who have lost \$100,000 already, what's going to happen to those businesses that have gone under?

I say that this tax this government is bringing in is another detriment to society, a detriment to the business in this province, and the taxation that's gone on, the \$2-billion increase in last year's budget alone is unacceptable. That's why we're losing the fight to keep the jobs and create more jobs, and jobs is what Ontario should be all about.

**Mr Perruzza:** Thank you very much, Madam Speaker, for the opportunity to respond to a comment the member for the Conservative Party made, a comment which didn't surprise me at all: He is going to be voting against the minimum corporate tax. It doesn't surprise me at all, because we've seen, what, close to 10 years of Conservative rule in Ottawa. We've seen breaks on the corporate tax side. They started it systematically from the time they came into office until today.

But I'll tell you what they did as well. They hammered each and every Canadian right across the country for 10 years, year after year after year after year. They didn't blush when it came time to imposing the GST, a tax that would have to be paid by each individual Canadian. That wasn't going to deter business, no, no, no. That was going to make Canada more competitive and business was going to move back into the country. It was 7% off the top of just about everything: No, that attracted investment and that attracted business.

But now when it comes to saying let some of the bigger businesses, that have been getting a fairly easy ride, and many of which have been getting a free ride, pay a little and pick up a little of the slack, what do our good friends the Conservatives say? "No, no, no. Those aren't people who should be contributing to the tax roll."

Do the comments surprise me? Not at all. I'm so glad they're the third party in opposition, and that's where I suspect they'll remain with these kinds of attitudes.

**Mr James J. Bradley (St Catharines):** As always, I found the speech from the member for Markham interesting and exciting, the future mayor of Markham. I'm told he's a candidate. I don't know if this is true, but no doubt there's a lot of pressure on him for that.

One has to look, when he makes a speech of this kind, at whether the circumstances have changed for taxes. For instance, when the former Conservative government, which I sat in opposition to for so many years, raised taxes year after year, and a variety of taxes, including corporate taxes, because it needed the funds to fund the various programs, was that in a climate that could sustain those kinds of taxes? I'm sure the member for Markham would say that likely it was, that they were relatively good years in terms of the economy, just as the years from 1985 to 1990, when Ontario enjoyed the second-highest economic growth of all of North America, were years where it might have been possible to sustain an increase in corporate taxes.

What we're seeing at this time and where I think the circumstances are different—and I'm a person who likes to deal in the present and in the future and not simply worry about the past, even though I well recall the speeches from members on the other side in the past. Have the circumstances changed significantly? They have, for a couple of reasons, and some of them are right out of the hands of the provincial government.

They're largely because of the kind of competition we face for investment dollars today. There are people out there who are looking to invest in various places and there are various jurisdictions that are trying to attract those people.

Although it sounds very good to pass a tax measure of this kind, and it makes people feel good that they've gotten people they think haven't paid taxes before, we have to look at, will it improve the investment climate in the province? I think the member for Markham has concluded, as I have, that such a tax would not do so.

1720

**The Acting Speaker:** The time for questions or comments has expired, and now the member for Markham has two minutes to reply.

**Mr Cousens:** The member for St Catharines makes an excellent point. There is an environment for everything and a time and a place for it, and we see that this is not the time for further taxes such as this. You made that point very well and I thank you for it.

The member for Downsview, I don't know what you said that was important, so I'm going to skip that.

As usual, the member for Simcoe East was dead on. He talks about this being a detriment to the province of Ontario, and he has totally the correct view that this tax on the hospitality industry is going to have a very deleterious impact. As for the corporate minimum tax, he thinks it's just another way for the province to add to its coffers. I respect very much where he's coming from. He could probably pay everybody's taxes, but none the less, I know he's out there to protect others from doing it.

To the member for Cochrane South, I'm thrilled that things are prospering as well as they are in your community. In fact, we want to see more communities that can have members stand up and say things are as good as they are. But the mining industry's been going through tough, tough times. I think you're an exception in that sense. Look at Sault Ste Marie and many of our northern

communities where unemployment is over 30% to 40%. We've got real problems. We want to get people from outside to come and invest in Ontario. In the meantime, I am always pleased to see people do well, and if things are as good as you say, God bless the people from Cochrane South and may they continue to prosper.

But understand, we're here in the Legislature dealing with a legislative bill that's raising taxes again. If I can't raise the issue in this House—and I'm a little combative—where else am I going to do it? How else are we going to tell people how much we disagree with what your government's doing? That is democracy at work.

**Mr David Turnbull (York Mills):** Madam Speaker, on a point of order: I don't believe we have a quorum present to hear this rather important debate.

**The Acting Speaker:** Could the clerk please determine if a quorum is present.

**Acting Clerk Assistant (Mr Franco Carrozza):** Speaker, a quorum is not present.

*The Acting Speaker ordered the bells rung.*

**Acting Clerk Assistant:** Speaker, a quorum is now present.

**The Acting Speaker:** We may resume, and the member for Scarborough-Agincourt has the floor.

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to join the debate on what's called Bill 146, which for those people who may not be familiar with the bill, incorporates, if I'm not mistaken, 11 measures from the 1992 budget and five measures from the 1993 budget. The public might wonder what in the world we're doing dealing with a budget that now is virtually two years old. The 1992 budget was presented, as I recall, on April 30, 1992, which towards the end of this week will be two years ago, and then we're dealing with measures in the 1993 budget.

It's fair to say that the centrepiece of this legislation is what's called the corporate minimum tax, although there are several other measures that I hope to have a chance to discuss as we get into the debate on the bill.

I do think it's important to set the stage for what we're dealing with here. The member from Cochrane was indicating that in the area he represents things seem to be pretty good. I will say, frankly, that's not the case in most of our constituencies, in most of the areas that we represent around the province. It's certainly not true in the area that I represent, which is a part of Scarborough.

I think it's fair to say that certainly for the people I represent, the number one issue is jobs: jobs for themselves, jobs for their family and jobs for their friends and neighbours. I will repeat what we've said many times in this Legislature, that the situation is serious in Ontario, that in spite of what the Premier may say about things getting better and that we are well on our way, I will just say that we are now well into 1994. In the first quarter of 1994, the first three months of 1994, the government, Bob Rae, had said we would be seeing substantial job growth by now, that we would be seeing year-over-year job growth of 65,000 or 70,000 more jobs in the province in 1994 than we saw in 1993.

Actually, the reverse is happening, and we've actually

seen, in the first quarter of 1994, 4,000 fewer jobs in the province of Ontario. So rather than 65,000 or 70,000 more jobs—and that, by the way, is just to hold the unemployment rate steady, because about 75,000 or 80,000 a year enter the Ontario labour force. We need to see those numbers of new jobs, net new jobs created. We actually have seen in the first three months job losses, and I might say it contrasts with the rest of the country where we see about 150,000 more jobs created in the first three months of 1994 than the same period of time in 1993.

**The Acting Speaker:** I would ask members to please keep their conversations down. I am trying to listen to the member who has the floor.

**Mr Phillips:** Thank you, Madam Speaker. Most tragic, in my opinion, is the unemployment rate among young people. We see the reported rate of unemployment among young people at perhaps 20%. That's what is reported in the statistics. Anyone who has looked at the numbers will say that—

**Mr Bisson:** Boring.

**Mr Phillips:** The member across is saying "Boring." I will say once again to the members, you should be ashamed of yourselves.

*Interjection.*

**Mr Phillips:** No, one of the members over there.

Anyone who is prepared to live with one third of our young people out of work and then say that is boring, there is something wrong with the NDP caucus. I am amazed you are not in revolt. I can't understand the back bench in the NDP, how you can accept an unemployment rate among our young people of one out of three and then sit in here and laugh. To me, you should be embarrassed; you should be ashamed of yourself. You should be demanding action by the cabinet.

I don't know how you can sit still for four years, entering five years now, and live with yourselves. Frankly, as I say, I cannot understand the back bench of the NDP not in revolt about an unemployment rate among our young people of one out of three. There's never been a situation like that. Perhaps in the 1930s, but never since then, and all we're doing is being silent about it and saying things are getting better, that we are prepared to accept one out of three of our young people being unemployed.

It's tragic, and if you don't start raising your voices in caucus—

**Mr Bisson:** What are you going to do about it?

**Mr Phillips:** "What are you going to do about it?" the member says. I will say we have issued a paper about what we're going to do about it. The question is, what are you going to do about it? Why don't you get on—

**Mr White:** Issue a paper. Issue a paper.

**Mr Phillips:** Yes, making proposals to the government, but the government won't listen. The government will not listen to recommendations from either the third party or ourselves—

**Mr White:** I can see the backbenchers of your party getting really excited. Issue a paper.



**Mr Phillips:** —and the members across get wild-eyed and yell, but they're doing nothing about the unemployment rate among our young people. You should be ashamed of yourselves.

*Interjections.*

**The Acting Speaker:** Order.

**Mr Phillips:** Ashamed of yourselves.

**Mr White:** You should be ashamed of yourself, making such gratuitous comments.

**Mr Phillips:** Well, there goes the member again, rather than coming forward with suggestions and solutions. I'd like to know what you are saying in your caucus. I would like to know how you let the cabinet come in and out of your caucus when every single year the unemployment rate among our young people climbs dramatically. It doesn't go down, and you sit silently.

1730

I have not heard one of you backbenchers in this debate get up and talk about young people and the unemployment rate. I've not heard one of you. I'd like to see the Hansard from you, sir, of where you have got up and talked about young people and come forward with suggestions and solutions. No, all you can do is heckle while our young people in this province are tragically out of work. If you want to accept that, that's fine, but I don't.

What are the solutions? As I say, two weeks ago we issued a paper with our proposals on it. Whether you like them or you don't like them, it was a comprehensive plan to deal with unemployment, including unemployment among our young people.

A year ago my leader, Lyn McLeod, issued a detailed paper on youth unemployment that I don't think any of the NDP caucus has even taken the time to read, I don't think any of you has taken the time to read. So when you heckle and you yell and you say, "What are you going to do about it?" there are two specific detailed proposals we have given to the government, and the government has chosen not to act.

**Mr Perruzza:** You've given nobody nothing.

**Mr Phillips:** There goes the member again, yelling—

**The Acting Speaker:** Order.

**Mr Perruzza:** Nothing, not a thing.

**Mr Phillips:** —saying we have done nothing, whereas, Madam Speaker, you can look at the record—

**The Acting Speaker:** One moment please. I would like to remind all members that each member in this House has the right to speak and to be heard and I would like the member to address his comments through the Chair.

**Mr Phillips:** I find that when people have nothing to say, they yell, and the member across is yelling. Some day he may have something to say, and then I think people in the province might choose to listen to him.

If any of us take the time to look at this issue, the tragedy of unemployment, and the tragedy of unemployment particularly among our young people, you wouldn't be sitting here heckling; you would be out spending your time trying to find some solutions.

I come now to the bill and to talk a little bit about the bill, because it incorporates many proposals. I remember well something called the Agenda for People, where—

**Mr Perruzza:** Oh, that hasn't come out in a long time. Let's hear it.

**Mr Phillips:** It hasn't come out in a long time. I carry it with me all the time. An Agenda for People: This was the promises that Bob Rae got elected on; it was the promises that defeated a government and the promises that Bob Rae got elected on. The member chooses to leave now, and I understand why.

In it what Premier Rae said was this: "A minimum corporate income tax would ensure that profitable corporations could not use tax loopholes to reduce their taxes to zero." It said, and this was their platform, that the minimum corporate tax would raise \$1 billion a year.

This was going to be the key way they would fund the promises that they've now broken. They're going to fund it with \$1 billion a year going after the corporations with the minimum corporate tax. That's how they were going to, as I say, deal with all of the promises they made, the promises they've now broken.

I think the people of Ontario should recognize that that was the promise, the \$1 billion. Then there was a Fair Tax Commission appointed to look at this, to say, "All right, how are we going to get the \$1 billion?" The Fair Tax Commission's report was quite informative.

If I can summarize the Fair Tax Commission's report, firstly, there was no \$1 billion to be found. After the report came out, someone said, "Where's the \$1 billion that Premier Rae thought he would get?" and I said, "Premier Rae went looking for the enemy and found the enemy, and the enemy is the government."

The reasons corporations do not pay taxes, the reasons many profitable corporations pay no taxes are found in detail in the Fair Tax Commission's report. It's quite simple. There are two reasons.

One reason about half of the corporations that make money aren't paying taxes is because of a loss carry-forward. They've lost money in previous years and therefore they carry that forward: quite legal, quite understandable. I think the public by and large accept that, if a corporation has lost a lot of money in one year, there should be some way that they reduce their taxation in future years. So that was the reason for half the profitable corporations.

The second reason that the other half of the corporations are profitable and paying no taxes is because they are taking advantage of government programs. The governments, governments of all stripes, have put together programs over the years that are designed to encourage corporations to do things. When corporations take advantage of the government programs to do things, they reduce their taxes. When they reduce their taxes, in many cases they reduce their taxes to zero because they are taking advantage of government programs.

What the Fair Tax Commission concluded, and I think it was a solid conclusion, in its final report that came out last fall, one of the key recommendations there is this: that Ontario introduce new disclosure and accountability

requirements for corporate tax expenditures—"a corporate tax expenditure" is the jargon used for tax programs offered by governments to reduce taxes in exchange for doing things that governments want them to do—eliminate the Ontario-only corporate income tax expenditures and address the issue of profitable corporations paying no tax through restrictions on tax expenditures rather than through a corporate minimum tax.

So the government spent I think \$9 million of the taxpayers' hard-earned dollars to have the Fair Tax Commission study this issue in detail. The Fair Tax Commission did study it in detail, and its recommendation was, "No, don't introduce a corporate minimum tax; rather, deal with the real issue," which is what they would call the tax expenditure program.

As a matter of fact, on page 104 of this discussion paper from the Fair Tax Commission it outlines approximately \$4 billion of tax expenditures. This is money that the people of Ontario give up in tax revenues to corporations. It is a variety of things, including capital cost allowances, current cost adjustments, research and development superallowance, resource allowance, small business deduction, flat capital for small business. There's \$4 billion worth of what are called "tax expenditures."

That was the recommendation of the Fair Tax Commission: Why put, I think, 14,000 corporations in Ontario through a fairly expensive process of filing for corporate minimum tax? Why send the signal out to the global business community that says, "In Ontario, regardless of what we do with our tax policy, we are still going to tax you; even if you are abiding by all of the laws and all of the things that we want you to do in the province, even if you get through all of that and you're paying no taxes because you're complying with all the government regulations and all the government tax laws, we're still going to tax you," and in my opinion send to the international business community another signal that Ontario is a business environment that is hostile?

As I say, they went directly against—the Minister of Transportation came in. You spent \$9 million of taxpayers' money on this. You had all the studies done. They looked at it in great detail. Their recommendation was: no corporate minimum tax.

Now, the problem is that Bob Rae promised \$1 billion, in the Agenda for People, in revenue from the minimum corporate tax. So I understand why politically it's embarrassing to agree with the Fair Tax Commission's report. But I think a far wiser move would have been to look at the Fair Tax Commission's report and find the underlying causes of why otherwise profitable corporations are not paying taxes.

The reason is—the Minister of Transportation shakes his head—the Fair Tax Commission concluded for you that the reason they're not doing it is because these corporations are complying with government programs on tax breaks that encourage them to do things.

1740

The corporations say to me: "Listen, you asked me to, for example, invest in capital, in equipment and what not. I do that. I then take advantage of your incentives for me

to do that. What that means is I reduce my profits down to nothing, taking advantage of it, and then you want to put another tax on me called the corporate minimum tax. What's going on here? You want me to head one way and then you jerk me back the other way."

Furthermore, I might say, what we are doing, if you cut through it all, the tax proposal here calls for raising approximately \$100 million from the corporate minimum tax. It is essentially a clawback of about 2% of these tax expenditures, these tax breaks that the government is offering to our corporate sector. Wouldn't we be far better to look at these tax expenditure programs, rather than putting 14,000 corporations through an enormous exercise of complying with the corporate minimum tax that, by any definition, is a relatively blunt instrument?

I understand why the government's doing it. Actually, as I recall it, the corporate minimum tax was introduced quite hastily just a few weeks before the Fair Tax Commission report came out to avoid the embarrassment of introducing a corporate minimum tax after the Fair Tax Commission's strong recommendation against it.

I would say on the tax issue that we've often heard you're going to hit a tax wall some day. We've heard that from lots of economists and from lots of people and I guess governments have questioned when you hit that. I think an objective analysis of the situation in Ontario today would say we've hit it.

I went back and I looked at the three budgets that have been presented to date by the government, and we'll see another one next week. But the 1991 budget, as I think everyone here knows, took taxes up by approximately \$1 billion. The 1992 budget took taxes up by approximately \$1 billion and the 1993 budget took it up by approximately \$2 billion. We saw three consecutive years of very substantial—but the Minister of Finance himself said, "We have taken taxes up substantially." But what's actually happened to tax revenue?

**Hon Gilles Pouliot (Minister of Transportation and Minister Responsible for Francophone Affairs):** Where's the wall?

**Mr Phillips:** We've hit it. "Where's the wall?" the minister says. We've hit it and we've bounced back a fair bit. As a matter of fact, so everyone can understand what these numbers mean, roughly a \$4-billion increase in the taxation level is about a 10% to 11% increase in the rate of taxation. We've taken the rate of taxation up in the province by roughly 10% or 11%.

You would have expected, in normal circumstances, revenue to grow by at least 10% or 11%; in fact, normally you would expect it to grow more than that. But tax revenue has actually dropped. In 1990-91, tax revenue was approximately \$33 billion. This year, the year that just ended a few weeks ago, it had dropped by about \$2 billion. For three straight years, the level of taxation went up dramatically and for three straight years actually the revenue from taxation had dropped. Something very strange happened. I think an objective viewer would say we have hit the wall.

There are two or three extenuating circumstances around it. We have gone through a period of relatively



low inflation and that's hurt revenues; there's no doubt about that. The economy has been slow and weak. As a matter of fact, when our friends say to us, "I hear there's a recovery going on but I don't feel it," the reason we don't feel the recovery is that even at the end of 1994, with some fairly good growth—and most people believe the Ontario economy will grow perhaps 3% or 3.5% this year—the output in the Ontario economy will still be below where it was in 1989. We've seen an increase in the population, an increase in the number of people in the labour force, although not an increase in the people working, but the Ontario economic output is still below where it was in 1989.

So the economy is struggling, and where we see it manifest itself in the most significant terms is in our inability to see jobs created at the rate we need them. I go back to what I said earlier, that in the first three months there are actually some frightening numbers which I hope will not continue, the frightening numbers being that we've actually seen job loss year over year when we should have seen job growth in the 70,000 range or thereabouts.

If you look at the rest of the country, the economy in the rest of the country has grown dramatically better than in Ontario.

**Hon Mr Pouliot:** Newfoundland?

**Mr Phillips:** The rest of the country has grown dramatically better than Ontario. The Minister of Transportation is shaking his head, but he knows those are the facts. Job creation has been—

**Mr Bisson:** No, that is not the case.

**Mr Phillips:** I always enjoy it when the NDP backbenchers say, "No, that's not the case," because it indicates to me they don't know the facts. If you don't understand that the Ontario economy—the rest of Canada's economy has been growing just fine; not great, but just fine. Ontario's economy has lagged, for the last four years, behind the rest of the country significantly, particularly on job creation.

**Mr Bisson:** Is that why you called the election in 1990? Is that why you guys cooked the books?

**Mr Phillips:** The member once again across the way is barking, and I always enjoy this. I wanted, in the last few minutes available to me, to talk a little about some things that have been said earlier here in the Legislature. I'm sure the public must wonder what we spend our time at, each of us blaming each other for things. The public says, "Listen, get on with managing things. Help the economy grow," and we try to give constructive suggestions. I always appreciate my Conservative friends, and I'm glad they're here in the House to hear this.

**Hon Mr Pouliot:** One friend.

**Mr Phillips:** I know Mike Harris doesn't like these numbers to seep out, because he would prefer that the Reform Party not hear them, but I looked at the Provincial Auditor's report—I don't think the public have a lot of confidence in what all of us say, but they trust the Provincial Auditor—and what did the Provincial Auditor say about deficits? I know the Conservatives would like to portray themselves as the great money managers. The

Provincial Auditor said this: "Ontario has had only one surplus in the last 20 years." This was in 1991. Only one surplus in the last 20 years, the year ending March 31, 1990.

**Hon Mr Pouliot:** You left us with a \$3-billion deficit.

**Mr Phillips:** The Minister of Transportation is barking. Only one surplus in the last 20 years: What does that mean? It means the Conservatives went 15 straight years never balancing the budget, good times and bad times.

The Minister of Transportation is saying, "Yes, but you left us with a \$3-billion deficit." Let me tell you how the auditor explains that, because I'm not sure the Minister of Transportation has ever read the auditor's report. The auditor says this: "There was only one balanced budget in 20 years, the year ending March 31, 1990." As you know, the Liberal government was defeated about five months later.

Then the auditor says, "It was expected that there would be another surplus in the next year." That was the second straight surplus. That's what the auditor said the former Liberal government had promised, and that was true. The actual deficit ended up being \$3 billion.

**Hon Mr Pouliot:** That's why you called the election, because you can't stand—

**Mr Phillips:** Then the auditor asks, what is the explanation of that? I know Bob Rae thinks we tricked him into winning the election because we knew there would be a \$3-billion deficit. But the auditor says here is the explanation. There was a surplus in the year ending March 31, 1990. There was another surplus planned. Then, the auditor says, "The major factors contributing to this variance"—and I want all the people out there to understand, because I know they think all those miserable Liberals left a \$3-billion deficit. The auditor said, "The extent of the recession, which was obviously not foreseen at the time of the budget, meant that total revenues were down by approximately \$1.1 billion."

1750

Revenues were \$1.1 billion lower than had been expected. I say to my business friends, that's about a 2% drop in revenue. I think you can appreciate that when a recession hits like that, that's possible.

He said, the second thing to get to the \$3 billion is that total expenditures were up by approximately \$1 billion, "with the increase in social assistance payments being the major contributing factor." That's a second thing. Recession hits, revenues drop by \$1.1 billion, and expenses went up by \$1 billion, heavily social assistance. The NDP may not want to have done that with people who needed help, but that was what was required, approximately \$1 billion. That's \$2.1 billion of the \$3 billion.

The third thing the auditor said is that, "There were special payments made that weren't provided in the budget." What were they? One was \$196 million for the teachers' pension fund. That wasn't due in the year it was made. It was due the next year, but the NDP saw that, oh, the deficit wasn't going to be quite high enough and moved a \$196-million payment up. The second payment

that was made was SkyDome, writing all the SkyDome off. That's fine, \$321 million completely written off. That's legitimate. It wasn't planned, but it was completely written off. The third thing was that a loan to the Urban Transportation Development Corp of \$400 million was completely written off.

Only one surplus in, now, 25 years. That was the final year the Liberal regime had its full hand on the bank. That's irrefutable. That's not me saying it, that is the auditor. Then the auditor explains in detail how the \$3-billion deficit came about. I always get a kick out of my NDP friends who say: "You didn't tell us the recession was coming. You didn't know things were going to be this bad."

**Mr Wiseman:** Oh, yes you did.

**Mr Phillips:** Of course we did. Here is exactly what we were predicting, and here is what the NDP said about what the Liberal government was saying. This is what the NDP said: "The Ontario Liberal government has reacted to predictions of an economic slowdown by dropping its Liberal pretence and showing its true Conservative nature. The Liberal government is now spreading the message that 1990 will be a year of fiscal restraint. The Liberal majority on the finance committee agrees with this Conservative philosophy and has recommended a course of restraint."

"The New Democratic Party challenges the defence of the status quo by calling on the government to implement reform policies needed to bring fairness to our society."

My point in raising that was it was clear to those NDP members who were around that we saw the need for restraint. We could see what was coming. We warned the NDP about it, and the NDP, rather than responding to it, said we have dropped our Liberal pretence and shown our true Conservative nature.

I wanted to get those things on the record, Madam Speaker, as we debate an important tax bill.

**Mr Alvin Curling (Scarborough North):** On a point of order, Madam Speaker: I notice that the government is incapable of having its members in the House. We don't seem to have a quorum here.

**The Acting Speaker:** Would the clerk determine if a quorum is present, please.

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** Thank you. Questions or comments?

**Mr Turnbull:** I always enjoy listening to my good friend the member for Scarborough-Agincourt. The last time he made this indictment and discussion about having a balanced budget, the Liberals having the only balanced budget in 25 years, I responded to it. Unfortunately, he'd left the chamber by that time. So I just wanted to put this on the record.

Yes, it's absolutely true, we've had one—

*Interjection.*

**Mr Turnbull:** Madam Speaker, I'm in the midst of speaking, and this specimen across the floor is hammering his desk. I find that most objectionable.

**The Acting Speaker:** I ask and I caution all members that there's a certain decorum that is expected in this House. I ask the members to respect that decorum on all sides of the House. Would you continue, please.

**Mr Turnbull:** Please do that.

Madam Speaker, I would ask you to reset the clock, instead of allowing somebody to go like this throughout what I'm saying.

**The Acting Speaker:** I will give you a minute and a half. Please reset the clock.

**Mr Turnbull:** Thank you. Are you resetting the clock, Madam Speaker?

**The Acting Speaker:** I said I would give a minute and a half. Please go ahead.

*Interjections.*

**Mr Turnbull:** I beg your pardon? I cannot hear a word that you're saying.

*Interjections.*

**The Acting Speaker:** Order. I have told the member that he has one minute and 30 seconds.

**Mr Turnbull:** Thank you. There's only one balanced budget that has occurred in the last 25 years, and everybody who has been involved with any government that has racked up deficits should be ashamed. I've said this before, and that applies to all political parties.

The year that the Liberals in fact had a balanced budget, they had budgeted a deficit. They had budgeted a deficit of \$550 million. They got an unanticipated \$888 million from the federal government because the economy was booming and they hadn't estimated they'd get much. At the end of that, you should say, they should then have had \$338 million surplus. Instead they showed \$90 million surplus. In other words, had they not been bailed out by the feds, they would have been even deeper in the hole than they had budgeted.

We've got to start having fiscally responsible government that understands that every deficit is deferred taxes, which we're putting on the backs of our children and our grandchildren. This is not a partisan statement. Every single party has got to wake up to the fact. If we're going to spend money, spend our own, don't spend our children's future, and that's what we're doing.

That's what I would say to my friend the member for Scarborough-Agincourt. Be honest with the people. Tell the people that you didn't anticipate making a surplus, it was just a fluke. You got some money from the feds.

**The Acting Speaker:** We have time for one more question or comment.

**Mr Sutherland:** It was very interesting listening to the member for Scarborough-Agincourt, because he had to go into such a great defence about them having a balanced budget in the year 1989. But what the member for Scarborough-Agincourt doesn't want to do is to compare apples and apples, he wants to compare apples and oranges.



He didn't talk about how much more of a large revenue base they had. He didn't talk about how much the revenues increased that year, which I believe was in the double-digit figures, over 10% increases in revenues. Heck, anyone could balance the budget doing that.

Then he goes into the justification as to why we ended up with a \$3-billion deficit by the end of the 1990-91 year. He talks about increases in social assistance costs. He talks about all those things that contributed to that, the downturn in the economy.

He's willing to give credit during that year in terms of the 1991 year and why it got up to that. He won't admit that we had an even more dramatic impact and more people went on social assistance in 1991. He won't admit that the revenues actually declined—declined—for the first time since the 1930s. He doesn't want to admit that fact in terms of understanding the different situation.

There's no doubt the 1990s are different. There's no doubt during the Liberals' time, they had the glory days.

No doubt about it. Unemployment was low. Revenue was coming in throughout their ears, and they increased taxes galore. Unfortunately, they weren't doing much planning for the future.

When we came into government, we came in at a very difficult time and we had to deal with the difficult things. We had to deal with the impact of free trade. We had to deal with the impact that they hadn't managed the health care system and it was increasing 10% a year. We had to deal with the things that they avoided, that they didn't deal with.

For him to say, "Oh, we were so great because we had a balanced budget," I say anyone could've done it. Who can manage in tough times? That's what this government is doing.

**The Acting Speaker:** Being six o'clock, this debate will resume at a further date. This House now stands adjourned until Tuesday at 1:30.

The House adjourned at 1801.

## ERRATA

No.	Page	Column	Lines	Should read:
114	5692	2	44	"Implementation of this proposal could lead to the loss
116	5738	1	22	moment-là, mon collègue le ministre des Finances a
117	5808	1	30	Ontario, Ms Eva Ligeti, who is sitting in your gallery, Mr
			32	Ms Ligeti is currently the principal of Sheppard campus,

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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 26 April 1994

# Journal des débats (Hansard)

Mardi 26 avril 1994



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers

*50th anniversary*

*1944–1994*

*50<sup>e</sup> anniversaire*

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 26 April 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 26 avril 1994

The House met at 1331.

Prayers.

## MEMBERS' STATEMENTS EMPLOYMENT EQUITY

**Mr Alvin Curling (Scarborough North):** I have become convinced that this NDP government is not committed to employment equity, to employment equity that provides fair access to employment, training and promotion. This NDP government had four years to bring about legislation and regulation that would be fair to all regardless of race, sex, age, nationality or religion. The NDP government has failed miserably.

Royal assent was given to this inadequate compromise bill almost five months ago, and still the final draft of the regulation is yet to be presented for the legislation for proclamation.

Furthermore, it is evident that this government is unable to handle this issue adequately. Recently we have seen the Attorney General completely mishandle a situation here, forcing 90 people, mostly war veterans, out of their part-time jobs. After pressure, she has reverted to get 19 back into the job. The minister responsible for Management Board had to withdraw his controversial direction, in advertising for a vacant position, that white males may not apply.

This government has done more harm than good towards employment equity, and we hope they can get their act together and bring forth a proper bill.

## FESTIVAL OF THE MAPLES

**Mr Leo Jordan (Lanark-Renfrew):** As the end of the maple syrup season is upon us, the fun is set to begin in Ontario's maple syrup capital, Lanark county. I invite all members, families and friends to come celebrate the 1994 Festival of the Maples this Saturday, April 30, in Perth.

This annual event features many forms of entertainment, both on stage and in the streets. This year the Festival of the Maples is placing a special emphasis on entertainment and activities for children. Kids can enjoy the Ferris wheel, boat rides, a petting zoo, a magic show and much more.

Events for all ages will include a pancake breakfast, display booths, barbecues, music, dancing, chainsaw competitions, trolley-car rides and a vintage car display.

The more competitive participants are encouraged to take a sap bucket and spile in hand and become competitors in the maple olympics in the afternoon.

I extend many thanks and best wishes to the Perth Chamber of Commerce for coordinating this event, and to the Lanark county maple syrup producers for their sponsorship.

Last year's festival drew close to 10,000 visitors, and with anticipation of an even greater turnout this year, I am sure that this festival will help us preserve the rich maple syrup heritage of Lanark county.

## DENISE HOUSE

**Mr Drummond White (Durham Centre):** Today Denise House marks 10 years of helping abused women and their children in Durham region.

They began as a 10-bed refuge called Auberge in Oshawa and they helped women like Maria. Maria showed up for work on Monday, as usual. This time a bruised cheek was barely visible under her makeup. "I fell in the shower" was her only explanation, and she lied. This was not the first time she had covered the truth and a bruise. There had been many other times.

Maria was like 200 other women who came to Denise House last year fleeing from violence in their homes. Thanks to the care and the counselling available at Denise House, these women were able to make necessary choices about their future.

Unfortunately, an event in December 1989 reminds us of the tragic consequences of family violence. A former resident of this refuge, Denise Penny, was murdered by her husband in plain sight of her three-year-old daughter. It was to honour her memory that the shelter is now called Denise House.

The children who come to Denise House also receive help because their behaviour and attitudes are frequently warped by the violence in their homes.

Denise House is a sign of hope in our community. It provides an outstanding example of women helping women and their children in crisis situations.

## HIGHWAY CONSTRUCTION

**Mr Robert Chiarelli (Ottawa West):** Early last year, Bob Rae cancelled funding for the southern portion of Highway 416, funding which had been allocated by the previous Liberal government. Five weeks later, Premier Rae announced an increased multibillion-dollar allocation of funds to build subways and highways in the Toronto area. There is no question eastern Ontario's funding allocation was diverted to Metro Toronto.

If that was not bad enough for eastern Ontario, the government is now making matters worse. It established a new transportation capital corporation to work with the private sector to build roads, and what does the government do? It called a request for proposals with the private sector to accelerate the joint venture construction of Highway 407 around Toronto, yet there is no request for proposals on the horizon to create Highway 416 using the new capital corporation.

First the government cancels existing funding to build Highway 416, and then under its new transportation

capital corporation is doing nothing to accelerate Highway 416. Will the Premier please immediately prepare a request for proposals to complete Highway 416 or tell the people of eastern Ontario why not?

The minister for eastern Ontario, Evelyn Gigantes, is sitting here today and she is not giving any answers to the people of eastern Ontario. Where is Highway 416 going? Tell us now, Minister.

1340

#### ANNIVERSARY OF CHERNOBYL DISASTER

**Mr Cameron Jackson (Burlington South):** Today marks the eighth tragic anniversary of the Chernobyl nuclear disaster in 1986 in Ukraine. Countless thousands of people were directly impacted by the reactor explosions resulting in death and crippling disease in the aftermath of the nuclear fallout and increased levels of radiation.

I was privileged to have here in my Queen's Park office a legislative intern on an exchange program from Kiev, Ukraine, who witnessed the immediate events of that fateful day. As he related: "A woman working in our office returned from lunch-break with a very red face. We all joked about it. Two others went to wade in a public pool and came back with the same red condition. These people are dead today. We had no idea."

For the thousands of children who continue to suffer from cancer and other radiation-related illnesses, Chernobyl is more than a bad memory; it is a nightmare that won't go away. For them, it is a struggle they must face every day and a challenge that we must continue to help them overcome.

The city of Toronto has proclaimed today Children of Chernobyl Day and a special candlelight memorial service will take place at 7:30 pm at High Park. The service is sponsored by Toronto's Ukrainian Canadian community and the Children of Chernobyl Canadian Fund.

Today is a day of remembrance, but also a time to reflect on how much we in the west may still do to help alleviate the ongoing experience of suffering of the children of Chernobyl. The world has adopted them as its very own, and we in Ontario can do no less.

#### MEDIA VIOLENCE AWARENESS WEEK

**Mr David Winninger (London South):** I rise in the House today in recognition of April 24 to 30 as Media Violence Awareness Week in London.

The awareness week program was initiated by Dr Peter Jaffe, the executive director of the London Family Court Clinic. It is significant to note that this is the first time any city in Canada has observed a Media Violence Awareness Week.

There are a number of goals, goals that could be seen as steps, for this week.

Increased awareness that an enormous level of violence comes into the average home every day through the media is the first step to taking action.

Parents are encouraged to monitor and consider the effect media violence has on their children. Dr Jaffe observes that children are vulnerable to violent images

and that repeated exposure to acts of violence can have a desensitizing effect.

Once parents appreciate the effect media violence can have on their children, they can then take that important third step to action. The action may be as simple as shutting off the television or as complex as creating alternatives to a culture of violence.

We see that three steps—awareness, understanding and action—begin to address the problem of media violence.

I laud this bold initiative on the part of Dr Peter Jaffe in establishing this week as Media Violence Awareness Week in London, and I hope this will be a giant step that will be emulated across the country.

#### EVA'S PLACE

**Mrs Elinor Caplan (Oriole):** On April 20, I had the opportunity to attend the opening of Eva's Place. Eva's Place is a shelter for homeless youth in the city of North York, located at Leslie and Highway 401, just south of my riding of Oriole.

On that day, the mayor, the city of North York, members of council, Metro members, members of the board of education and MPPs were all there in support of Eva's Place.

Paul Molitor, MVP of the Toronto Blue Jays, was there and donated his MVP van to Eva's Place. It was truly a very special moment.

The mission statement of Eva's Place is that it is providing a safe haven for youth who are unable to live at home for many reasons, including physical and mental abuse.

Eva's Place has been named after a very special person. Eva Smith was a remarkable community activist in the city of North York. I met her for the first time when I was an alderman, back in the late 1970s.

Eva could not be at the opening of Eva's Place. Unfortunately, she passed away just a few months ago. But her family was there, filled with pride, because Eva's Place is a reality and a very important part of the city of North York.

I want to say what a thrill it was to be there. I congratulate the city of North York and particularly would like to mention Nora Spink and Jim Coombs and the board, who have been active in seeing that Eva's Place became a reality.

#### CAMPING FEES

**Mr Allan K. McLean (Simcoe East):** My statement is for the Minister of Natural Resources. Minister, Coldwater area residents Roger White, a Rover adviser, and his wife, Kathy, a Venture adviser for the 9th Orillia, have informed me that you have sunk to a new low by reaching into the pockets of such groups as Scouts Canada.

Your new fee structure for the use of provincial park group campsites includes a fee of \$1 per night per youth, \$2 per adult per night, an additional \$14 per campsite and a further \$6 per booking reservation fee.

Minister, you simply cannot justify imposing this youth tax on scouts who draw their membership from rural Ontario and the urban neighbourhoods. You may not



think this tax on youth on the surface is exorbitant, but Scouts Canada and I think it's totally unacceptable and outrageous. It will add significantly to the budget of a weekend camp. I cannot believe the income from this outrageous tax grab will provide a dramatic increase in your ministry's revenues. I do believe the loss to the youth of Ontario and to our provincial community will be substantial.

Scouts Canada makes every attempt to conserve its funds, since virtually all of its operations must be paid for by parents or through fund-raising events like tree planting and apple sales. Minister, scouts will have to sell an orchard full of apples to come anywhere close to covering the cost of your new youth tax, and I think you've reached back—it's outrageous and unacceptable. Shame on you.

#### EVENTS IN DURHAM WEST

**Mr Jim Wiseman (Durham West):** I'd like to draw the attention of this Legislature to three events that I participated in over the last little while.

Last week, I went to the Ontario Public School Boards Association where they unveiled their trash tally, which is an auditing process where they go into the schools and do an audit and then do a comparison on how much trash they've reduced. This event took place in the wonderful town of Newcastle, which is in the Northumberland-Clarington board. The young people in that school are the real heroes of this story, because they were able to reduce the cost of taking care of their trash by almost \$800 over one year. So I applaud them for that and I applaud the Northumberland-Clarington board for participating in that.

The second presentation was at the Adult Learning Centre in the Durham board, where a number of middle-aged people were involved and handed out scrolls. While I was leaving on Earth Day, outside were a number of young people who were cleaning up the environment. I'd particularly like to mention Peter Fawcett and Fred Parrot who were involved in that.

Just yesterday morning, I was at Duffin's Bay Public School in my riding where I was able to give an Environmental Bill of Rights poster to the class. I was also able to participate and watch the wonderful activities of these young people displaying their talents and being rewarded by the administration for everything from playing the piano to the basketball and wrestling teams that had done so well.

I congratulate all of these and all the teachers involved in all of these events.

#### POLICE SERVICES

**Mr Peter North (Elgin):** Today, I'd like to bring to the attention of all members of this House a rather difficult problem in rural Ontario. We have over the last short while been experiencing extreme difficulties with regard to rural policing.

We have in the west end of the riding the area of Rodney, and a friend I know named Frank Deeley has brought to my attention the very difficult things that have happened there recently, most recently problems on their main street which they could not actually get an officer to come and deal with.

In the area of Dutton, where at one point we had 28 officers from the OPP, we now have six. In North Yarmouth, we had more than 16 incidents happen in a three-month period, where people were breaking into homes at all hours of the day and night. Parents were afraid to work their shifts for fear that there might be a problem with their families over the course of the evening or into the night.

We also have had extreme difficulties in the east end of the riding with regard to an area named New Sarum, where we had over a dozen break-ins in the same business in the span of a year.

It is a problem that I'd like to bring to the minister's attention. I'd like to bring it to all members' attention. It is an extreme problem that I hope we can have this minister, this government and all members of the House deal with. Rural Ontario certainly needs its policing. It needs it every bit as much as urban Ontario does, and we hope that in the future we'll get that attention, the same attention as other parts of the province get.

#### VISITOR

**The Speaker (Hon David Warner):** I invite all members to join me in welcoming to our chamber, and seated in the members' gallery west, the former member for Halton North, Mr Walt Elliot. Welcome.

1350

#### ORAL QUESTIONS

##### PUBLIC SAFETY

**Mr Sean G. Conway (Renfrew North):** My first question is to the Solicitor General. It's almost three weeks ago that my leader stood in this House and called upon the government and all members of the Legislature to begin serious work on a response from the government and the Legislature to the growing concern in communities large and small, rural and urban, north, south, east and west in this province about issues around safety and security in their communities. At the time, Minister, you indicated an interest. Well, nearly three weeks have passed since that exchange on April 7.

My question to you today, Minister: What can you tell the Legislature and the people of Ontario as to your plan and the plan of your government to deal with a rising tide of concern about safety and security in Ontario today?

**Hon David Christopherson (Solicitor General):** I appreciate the opportunity to comment on the issue. To the direct question that was in there with regard to the offer by his leader to commence discussions, that's under way. We're having those discussions, depending on what day it is—they're kind of up and down, but they're still proceeding, and we are trying to find a way in which there can be all-party agreement to move forward with discussions that has the support and the buy-in from everyone in this place, which, as I recall, was indeed the tenor and the tone of the suggestion made by his leader on that day.

I might also point out that this weekend, for instance, the Crime Prevention Ontario organization is sponsoring a symposium on community crime prevention which I believe will go a long way to assisting us in developing the kind of Ontario positions we need to fit in with the

federal responses, recognizing, as he has or his leader has in the House, and the leader of the third party, that many of the areas we're talking about here, particularly areas of the Criminal Code, are indeed the jurisdiction of the federal government. That is not to pass the buck but to acknowledge the realities of the jurisdictional setup and to also indicate to him that we are responding very seriously and taking actions at the provincial level where we can.

**Mr Conway:** The difficulty that the people of Ontario have is that they hear these commitments from the government to in general terms move forward, but to date we are not seeing any kind of leadership from the Solicitor General. We are not seeing any specific action plan from the minister responsible for the Solicitor General's department or the minister of justice or anyone else in the government.

The difficulty is that in the last two or three weeks there is more and more evidence across the province. Last weekend there was a brutal murder of a young boy in Chatham, Ontario. Last night, we are told by the morning press, a 38-year-old woman was sexually assaulted and robbed at knife-point in her downtown Toronto hotel. The trouble is that these kinds of stories are appearing all across the province, not just in Metro but in Chatham, in all kinds of communities large and small.

The people of Ontario want to know, what do you propose to do, when do you propose to do it, and how do you propose to put before the people of Ontario and their Legislature an action plan to allay growing public concern on this vital issue of the public interest?

**Hon Mr Christopherson:** Let me say very directly to the honourable member that everyone in this House has acknowledged that all levels of government have a certain responsibility in this matter.

I believe if we look at what Metro Toronto is doing as a local government, other initiatives across the province, us in this place here and the federal government, there is a concerted attempt to respond in a coordinated way, which I might add was clearly supported and enunciated by all the members in this House, at least as I've heard them ask the questions, in recognizing that there is no one single solution.

I don't think I heard in the member's question the implication that had some level of government taken a single course of action, any of the incidents he's discussed or raised here would not have happened. The reality is that we have systemic difficulties, we have social difficulties which no one can respond to individually. We are, however, taking a leadership role in an area that's not primarily the responsibility of the province. But this government has taken a leadership role—

**The Speaker:** Could the minister conclude his response, please.

**Hon Mr Christopherson:** —in Canada on the issue of gun control, which as one piece of the issue is an important one. Our Attorney General has taken a leadership role on the use of the dangerous offender application, as stated by the federal attorney general that if other provinces—

**The Speaker:** Would the minister conclude his response.

**Hon Mr Christopherson:** —did the same as the Ontario AG, there wouldn't be a need for him to look at the change in legislation.

Indeed, we're also, as I said earlier, responding to the initiatives mentioned by members of the opposition and I—

**The Speaker:** The question's been answered. Would the minister please take his seat. Final supplementary.

**Mr Conway:** Can the minister today outline a timetable as to how and when he is going to proceed on issues that fall within the provincial jurisdiction? We all understand that local and national governments have responsibilities as well, but days ago I, on behalf of my colleagues, indicated that there were some things we could do provincially, like tighter control on the retail of ammunition, like having the minister of justice for Ontario direct provincial crowns that there shall be no plea bargaining around gun-related offences, like ensuring that there is tougher sentencing for people convicted of the commission of violent crimes, particularly involving firearms.

My question remains, Minister: Can you give the Legislature and the province today a more detailed timetable as to how, when and where you intend, as a government, to act in this provincial jurisdiction?

**Hon Mr Christopherson:** Let me deal with two issues that the honourable member raised, one of them specifically on the issue of the ammunition. I've already indicated that we responded to that, and I think in a very positive fashion, in exactly the way that his leader asked and hoped for us to respond. That is a matter still for discussion by the House leaders, and I'm still very hopeful that there will be agreement on the part of all three parties in this place to deal with that in a non-partisan way, so that if there is action we could take at the provincial level, we indeed do so and have the support of all the members here.

In terms of directives to crowns and to others regarding plea bargaining and sentencing, I would defer to the AG to give specifics, but I do know that many of those actions have already happened.

There are a number of initiatives under way in this province, not the least of which are the support and sponsorship by this ministry of Crime Prevention Ontario and the work that they do; the coordinated effort that we have with policing services to provide standards of policing, to assist them in doing their job and ensuring we do it right across the whole province; the funding of rape crisis centres and sexual assault centres. There is a whole host of initiatives.

But to answer the question in a positive way and to be very upfront with the member, many of the issues, as he has said, are in the federal domain. My officials are talking with the federal officials, as are the AGs. We're expecting a package from them to provide—

**The Speaker:** Could the minister conclude his response, please.

**Hon Mr Christopherson:** —the leadership that they



should, and when that happens, we will respond swiftly and effectively.

#### GOVERNMENT SPENDING

**Mr Sean G. Conway (Renfrew North):** A new question to the Minister of Housing, and it concerns supportive housing. The plot thickens; the swamp deepens.

In recent hours, I have received new information about another Metropolitan Toronto not-for-profit supportive housing group; very interesting material. I have in my hand new information: an audit done by the Ontario Ministry of Housing of this second group, the Supportive Housing Coalition of Metro Toronto, a community-based, not-for-profit group providing housing services to the community since 1982.

1400

This audit was completed in March 1992, and it says some very interesting things. It finds a whole host of indefensible and inappropriate behaviours, very sloppy accounting practices, untendered contracts, and a very interesting pattern of undeclared conflicts of interest, to name but three of the audit's findings.

Is the minister aware of this audit, and what specifically has she done about its findings?

**Hon Evelyn Gigantes (Minister of Housing):** Indeed, I am aware of the audit. It was made available yesterday at the same time as we released the report of the audit concerning Houselink, which has so fascinated members of the Liberal opposition.

We have a new policy in the Ministry of Housing. In the past in the Ministry of Housing, internal reports of this nature which reviewed the contract obligations by the ministry and by partners in the community were not released to the public. That policy has changed as of my decision to release the Houselink report, and the release of the report to which he refers, the Supportive Housing Coalition report, is evidence of that new policy.

So indeed, I am aware of it, and indeed, the ministry has been working, as it did with Houselink, to make sure that those problems discovered by the audit are problems which are addressed by ministry administration monitoring and working with the community-based group.

**Mr Conway:** I challenge the minister. My information is that this audit was not released by her yesterday, that this was leaked, not released. But I want to be clear that this audit paints exactly the same kind of picture as we saw at Houselink. This is a detailed account of maladministration, misappropriation, untendered contracts involving substantial public moneys, and perhaps most importantly, let me read just this one line, the auditors found in 1992 that there were "undeclared conflicts of interest where two board members were also lawyers of the firm retained by the Supportive Housing Coalition."

Sound familiar? "One has resigned but the other continues to serve in a non-voting yet very influential capacity as treasurer." The report goes on to suggest, to indicate, to recommend in March 1992 that no new allocations be given to this group until they've cleaned up their act of these several and serious sins of maladministration.

Can you confirm, Minister, that no new allocations have in fact been given since this audit was completed in the spring of 1992 to this Supportive Housing Coalition, mindful of the fact that just a few months ago, in March of this year, you had to write off millions of dollars' worth of government obligations—

**The Speaker (Hon David Warner):** Would the member conclude his question.

**Mr Conway:** —to this band of incompetents? Can you confirm that?

**Hon Ms Gigantes:** The member goes a little far in his language. The Supportive Housing Coalition has served people in the Toronto community very well for very many years. I can certainly understand the Liberal urge to attack on these questions because these were problems which of course arose during the Liberal administration, and a good defence is always a foaming-mouth offence, is it not?

But I would like to indicate to the member that my colleague and I, the Minister of Health, having considered the issues which were brought forward around the audits of both Houselink and the Supportive Housing Coalition, are quite prepared to see all these matters discussed by members of the Legislature working in the public accounts committee.

**Mr Conway:** I'm sure the House will be happy to know, mindful of the minister's last response, that over these past several years the executive director of the Supportive Housing Coalition was none other than Mr David White, a very prominent, well-known city of Toronto New Democrat.

**Mr Chris Stockwell (Etobicoke West):** No? David White, who sat on Toronto council for how many years? Not that David White? I'm shocked.

**Mr Conway:** David White, a very prominent New Democrat. I just want to put that on the record.

Let me just say to the minister that those of us who support supportive housing always expected that it would mean something more than supporting a bunch of out-of-work New Democrats who are just finding a new way to fasten on to the public trough.

This report, Minister, like the report yesterday, represents a damning indictment of how millions of dollars of public money have been poorly, incompetently and inappropriately handled in this province by this sector. Given what that audit says about the Supportive Housing Coalition and what we've found in the earlier audit about Houselink—

**The Speaker:** Could the member place a question, please.

**Mr Conway:** —will you today commit to refer these audits immediately to the public accounts committee so there can be an in-depth analysis of what went wrong here and so that we can look and see what, if anything, you have done to clean up this costly mess?

**Hon Ms Gigantes:** Mr Speaker, why can't he take yes for an answer when I give it before he asks the question? Why can't he?

If the members opposite in the former Liberal govern-

ment were so concerned about dealing with all these terrible NDP people who associated themselves with community-based work in supportive housing, why did they provide allocations to the groups and why did they allow all this to continue for such a long period of time? These are questions which I'm sure will interest all the members of the public accounts committee, and I look forward to that.

**The Speaker:** New question, third party.

**Mr Jim Wilson (Simcoe West):** My question is to the Premier, because I want to give the Premier the opportunity to respond to the growing rot at Houselink.

Last week, Premier, when the Toronto Star uncovered an audit at the Ministry of Health, at no time did your Minister of Housing speak up and admit that her ministry had also done an audit. In fact, today, Premier, in response to the last question, your minister is now boasting that she released the audit, when in fact it was not released voluntarily by your ministry but was leaked by people in your ministry.

With regard to Houselink, Premier, we now have two separate audits from two separate ministries with two catalogues of mismanagement, wrongdoing and potential corruption. Premier, to restore the integrity of your government, a subject that you have spoken about loudly and often, is it not time for you to step in—and we're calling on you to step in today—and to undertake a complete investigation of Houselink and the other audit that was brought forward today? Premier, will you give that commitment to this House, that you will step in personally and do a complete review of these scandals?

**Hon Bob Rae (Premier):** I'm going to refer that matter to the Minister of Housing.

**Hon Ms Gigantes:** As I've indicated, the release of the audit on the Supportive Housing Coalition was done voluntarily by me. When I learned last week that there had been a request under freedom of information for a copy of the report done about Houselink and that it had been turned down, I asked why and I asked for a review of that decision. In the course of that review, I became aware of a second report of the same nature done about the Supportive Housing Coalition, and that one too was released yesterday.

We are quite of one mind, my colleague the Minister of Health and I, that there shall be an investigation of all the matters that concern members on all sides of the House at the public accounts committee, and we look forward to working with members of the opposition in that process.

**Mr Jim Wilson:** There's something very fishy going on around here. I can understand that if the Liberals were still in government, they'd want to cover up the Houselink affair. What I can't understand is why the Premier of this province, the NDP Premier of this province, won't answer questions about the Houselink scandal. I don't understand that. There's something very, very fishy going on.

My question to the Premier—to the minister, I guess, because the Premier won't answer: Minister, we have a litany of unanswered questions. Who went to Berlin with

Lea Caragata, and why did they go? What is the involvement of your friend Robin Sears's mother? Why is the husband of the Minister of Health's chief of staff—

*Interruption.*

**The Speaker:** Stop the clock. Order.

1410

If the member has got his share of the money, then I believe he's about to ask his supplementary.

**Mr Jim Wilson:** Clearly, the public is extremely concerned about the scandal at Houselink. They're yelling from the galleries.

Minister, we have a litany of unanswered questions. I want to know, for example, why the husband of the Minister of Health's chief of staff is the lawyer for Houselink. Specifically—this question was to the Premier—why did it take the press and the opposition to uncover this whole smelly affair? Minister, after an entire week, do you have any answers to these questions I've posed?

**Hon Ms Gigantes:** I think the member is mistaken. He says there's something fishy, but the fact is that he's just gone fishing and therefore he thinks there's something fishy. Those things don't necessarily follow one on the other.

There are all kinds of suggestions and murmurs and questions: Who's related to whom, who's travelled where, how much did an old piece of furniture cost, and so on? We're looking forward to discussing these things in context, where there will be a chronological framework on the discussion and where it will be clear what actions have been taken, both in the Ministry of Health and in the Ministry of Housing, to ensure that the working relationship with both the Supportive Housing Coalition, in the case of Housing, and with Houselink, in the cases of both Housing and Health, is a straightforward one which is fully, publicly accountable.

**Mr Jim Wilson:** There's one burning question in this scandal: Why did it take almost four years for this government to respond to this issue, and why did it take not voluntary compliance, Minister and Premier, but inquiries from the press gallery to obtain the audits so we know what actually is going on with taxpayers' money with respect to the non-profit housing sector? I have a couple of more questions for you.

Yesterday in the House, you told us in response to a question that you hadn't extensively reviewed the audit by your ministry, yet minutes later, outside the House, you said you saw no evidence of criminal wrongdoing. Not having reviewed the audit, she concluded there was no evidence of criminal wrongdoing.

To the best of our knowledge, the police have not been called in on this affair. With a government that calls in the police every time there's a leaked cabinet document, I find it more than passing strange that the police were not called in to investigate this scandal.

Minister, I ask why the police were not called in. I also want you to answer to this House, how many audits of non-profit and co-op housing projects have been done by your ministry and/or the Ministry of Health? Third, when we review the non-profit housing sector, we find



the names of contractors, lawyers, architects and non-profit groups appearing over and over again. Minister, on behalf of your government, will you expand the inquiry into all non-profit groups and non-profit housing so we can have a full inquiry on how the taxpayers' dollars are being spent in this province?

**Hon Ms Gigantes:** The public accounts committee will no doubt discuss the framework in which it wants to operate. What my colleague and I have determined is that we agree that public accounts should feel that the matter of Houselink, the relationship with the Supportive Housing Coalition, is one which we're quite agreeable to have examined by the committee.

I should also point out that the proportions of nonsense in terms of accusations and attempted smears and so on going on out of opposition benches really boggle the mind. I understand from a well-informed source working in my office that the David White referred to in some—no, I'm wrong.

**Mr James J. Bradley (St Catharines):** Oh, you'd better watch out. Ruth said no.

**Hon Ms Gigantes:** Okay. There, I'm wrong. There is no end to the kind of speculation that's being generated on the basis of no good information, and I wish members would say: "Yes, we've got a piece of work to do. Let's settle down and do it." We're quite happy to help in that process.

**The Speaker:** New question; the honourable member for Etobicoke West.

**Mr Stockwell:** What was that about David White, Madam Minister?

**The Speaker:** To whom is your question directed?

**Mr Stockwell:** I've got to get this clear: the well-informed source. David White—

**The Speaker:** Would the member take his seat, please.

*Interjections.*

**The Speaker:** The member for Etobicoke West.  
GO TRANSIT

**Mr Chris Stockwell (Etobicoke West):** I will ask my question to David White, the city of Toronto alderman—no. I will go to the Minister of Finance, who is not here, so in lieu of that, I'll go to the Premier.

Mr Premier, could you confirm that as part of the GO Transit sale and leaseback transaction the provincial government asked the federal government to waive its 15% withholding tax? Could you advise the House about the status of that request and whether in fact anyone had to pay the withholding tax at all.

**Hon Bob Rae (Premier):** I'm going to have to take that question as notice and refer it to the Minister of Finance and ask him to respond.

**The Speaker (Hon David Warner):** Supplementary?

**Mr Stockwell:** Does the Minister of Housing have an informed source on this one, do you think? I guess I'd better get my supplementary on the record, Mr Speaker.

**Mr Steven W. Mahoney (Mississauga West):** You may never get on in question period again.

**Mr Stockwell:** Yes. As I understand it, the \$425-million GO deal was closed offshore in Bermuda and involved a transfer from the crown corporation to a company called Asset Finance Bermuda.

**Mr James J. Bradley (St Catharines):** So that's why they all went to Bermuda.

**Mr Stockwell:** That's right. Now, they went to Bermuda and it was closed with Asset Finance Bermuda. As I understand it, that company immediately, in turn, flipped the assets—you know that word very well, I'm sure—to the ultimate purchaser, who ideally got out of paying the tax because of the flip and the closing in Bermuda.

I would also ask the Premier, would you not agree that we have a case here of an agency of government participating, if in fact this is the case, in an elaborate scheme to avoid literally millions of dollars of Canadian taxes, trying to avoid that through the withholding tax of 15%, if they did flip it in Bermuda and thereby got out of paying the 15% withholding tax?

**Hon Mr Rae:** Again I'm sure the Minister of Finance would be happy to have a very learned discussion with you on this subject. I think you should probably wait for him to respond.

**Mr Stockwell:** The problem is I've got another supplementary.

**Mr Allan K. McLean (Simcoe East):** You're not going to get an answer yet.

**Mr Stockwell:** No, I don't plan to, but maybe I can put this on the record and when you run into Floyd maybe you can mention this to him.

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The last time this House talked about a property flip of this magnitude it was engineered by a couple of people named Player and Rosenberg, as I recall. I recall your party had a nervous breakdown caused by moral indignation over the whole affair.

**Mr Sean G. Conway (Renfrew North):** They all had a nervous breakdown and a big run on the cash.

**Mr Stockwell:** Yes. Now we have a crown agency, as I understand it, playing tax avoidance games. When most people in this province don't want to pay our high taxes, they go to Buffalo. It seems you guys go to Bermuda, Mr Premier. Don't you think, Premier, this type of action by a crown agency makes a mockery of all your hand-wringing about cross-border shopping, the underground economy and federal transfer cuts? Isn't it kind of a classic case of you, the Premier, saying to the people, "Do as I say, not as I do"?

**Hon Mr Rae:** I know the Minister of Finance will want to explain to you, as he has to all of us, and as we have looked at over the years, the principle in place, which is to get the best possible arrangement and deal for the taxpayers of the province. That's an answer I'm sure the minister will have respected.

WCB CHAIR

**Mr Steven W. Mahoney (Mississauga West):** My question is to the Premier, and it's about another soon-to-be-out-of-work New Democrat. I read recently, following

your announcement last week of reform at the Worker's Compensation Board, that you are considering appointing the outgoing chair, Mr Odoardo Di Santo, to the liquor board.

During Mr Di Santo's term as chairman of the Workers' Compensation Board, the unfunded liability has grown at a rate of \$2 million a day, to reach the unprecedented level of \$11.5 billion. The operating loss last year under his stewardship was \$74 million—

**Mr Kimble Sutherland (Oxford):** What was it during the Liberal term?

**The Speaker (Hon David Warner):** Order, the member for Oxford.

**Mr Mahoney:** —rates to business have skyrocketed by an average of 33% while claims have gone down by 22%, and staff morale is at an all-time low under the leadership of Mr Di Santo.

Will you assure this House that you are not about to appoint the current chair of the WCB, who you are not reappointing to that position—will you assure us you will not transfer him over to the liquor board of Ontario?

**Hon Bob Rae (Premier):** The short answer is no. I can say to the honourable member, and I say without hesitation, that when Mr Di Santo was defeated after being a member of this House for some time, he received a public appointment from the Liberal government of the day. All of us who know Mr Di Santo, and there are many members on all sides of the House who know him, know him to be a man of integrity, of ability and of great compassion. I am very proud of the fact that Mr Di Santo has accepted an appointment at the Liquor Licence Board of Ontario, and I think he's somebody who deserves the respect and recognition of his peers and colleagues in public service, since he is serving the province very well.

**Mr Mahoney:** Before that answer, it was simply a rumour. Now the Premier has confirmed that Mr Di Santo has taken a position, presumably at your behest, an appointment with the liquor licence board. I just find that incredible, and so do the people of this province.

This was a 10-year NDP member of this Legislature, currently drawing a pension, double-dipping as chairman of the Workers' Compensation Board, who will now simply move into a new position to see what kind of havoc he can wreak on the liquor licence board.

Let me give you some other examples. He has denied that he was responsible for the decision to build the new building in downtown Toronto, contrary to the facts. He delivered a task force on service delivery and vocational rehab, and absolutely nothing was done at the Workers' Compensation Board during his term as the chairman to improve service delivery. Fewer than 10% of the cases at the board drive 90% of the cost of the board. The board is in absolute chaos.

**The Speaker:** Could the member place a question, please.

**Mr Mahoney:** Premier, we would ask you to revoke the appointment. Mr Di Santo does not deserve to be appointed by you to another position in the government when he has clearly failed to provide any leadership at the Workers' Compensation Board.

**The Speaker:** Would the member please conclude his question.

**Mr Mahoney:** Will you revoke that appointment today?

**Hon Mr Rae:** No. I can say that given my experiences in politics, I understand that there will be all kinds of personal things said about individuals. I say to the honourable member that I think the way in which you personalized this is most unfair to Mr Di Santo, but I'm sure we'll all survive those attacks and recognize—

**Mr Gregory S. Sorbara (York Centre):** He was incompetent. A nice guy, but he is incompetent.

**The Speaker:** Order. The member for York Centre, please come to order.

**Hon Mr Rae:** —that he is a fine person who continues to deserve the confidence of the people of this province.

**Mr George Mammoliti (Yorkview):** How does your community feel about what he is saying?

**Mr James J. Bradley (St Catharines):** Stop playing ethnic politics.

**The Speaker:** Would the member for Yorkview please come to order.

**Mr Mammoliti:** Go ahead, have a chat with them.

**Mr Mahoney:** Is this an Italian issue? Is that what you're saying?

**Mr Mammoliti:** You tell me. Is it an Italian question?

**The Speaker:** The member for Yorkview is asked to come to order.

**Mr Mammoliti:** We'll let the Italians decide whether it's an Italian issue.

**The Speaker:** I caution the member for Yorkview that if he refuses to come to order, he will be named.

#### MENTAL HEALTH SERVICES

**Mr Michael D. Harris (Nipissing):** My question is to the Premier. Recently, your government put the shovel in the ground on an expansion of the Queen Street Mental Health Centre. This expansion will house 20 criminally insane patients. The residents of Parkdale have contacted my office to say they are outraged that their already fragile community is being dumped on yet again by your government without proper consultation. Can you tell these residents why, in all of Ontario, you decided virtually unilaterally that Parkdale should be the home for this facility?

**Hon Bob Rae (Premier):** Mr Speaker, I'll refer this to the Minister of Health.

**Hon Ruth Grier (Minister of Health):** I'm glad to have an opportunity to address this question because I know it's one that certainly members on our side and members of the community have been very concerned about. But I have to say to the leader of the third party that the need for medium-security facilities in our psychiatric hospitals has been growing, that Queen Street is a hospital that has been there for a long time and that has had secure units for the evaluation and assessment of people who have been referred by the courts, and that the move to change 20 existing spaces into secure spaces is



one that was decided upon as we looked to how we can serve people who need care, who are mentally ill, in their communities.

There are now no medium-security beds in Metropolitan Toronto. The decision or the indication that Queen Street would continue to provide these services was made in a strategic plan that was very publicly discussed within the community last year. I profoundly regret that a number of the elected representatives and community members—that it wasn't made more clear that in fact this was going to be a switch of 20 beds from open beds to medium-secure beds.

Because there is a real concern in the community, I have met with some of the elected representatives locally there. The community advisory board is certainly aware of the concern in the community and I have asked them to see what they can do to meet with community representatives and try and allay some of the concerns people have.

**Mr Harris:** All I hear from this minister is that you're going to have meetings to try and smoke this through. I don't hear anything about halting construction and making sure there is a proper, open consultation process before this facility proceeds.

You and I know that individuals and families of Parkdale already share their neighbourhood with the current residents of the Queen Street centre, with a parole office, with patients at two treatment centres and with a number of halfway houses. They're saying, "We're prepared to do even more than our share." But without the proper consultation—and you know that had you not had a facility, and you simply with fudge words changed the definition, you could not have proceeded this way in any other neighbourhood in Metropolitan Toronto without having full, public, open hearings as to what was happening.

1430

I am asking you, given that a considerable number of the residents of Parkdale are new Canadians, given that they don't have the same political expertise and clout to fight your decision that other communities and other neighbourhoods have, will you halt construction? Will you proceed with a full and open consultation process on what is fair in Metropolitan Toronto about where this facility should be located?

**Hon Mrs Grier:** The member describes a facility. The member indicates that this is something dramatically new and an expansion of the Queen Street psychiatric hospital. This is the transformation of 20 units in the hospital into a double-locked, secure, under-surveillance community, of which there already are two floors in the same building that have the same kind of security.

**Mr Harris:** Into a completely different definition of what it was before, without the hearings.

**Mrs Dianne Cunningham (London North):** Why didn't you tell us this months ago?

**The Speaker (Hon David Warner):** Order.

**Hon Mrs Grier:** I think it is unfortunate that people in the community were not aware that this was in fact part of the change that was going to happen.

**Mrs Cunningham:** I think it's unfortunate you didn't tell them. That's the problem.

**Hon Mrs Grier:** I certainly understand that concern and want to do everything I can to share with them—I hope they have visited the facility—

**Mrs Cunningham:** Just boom along without doing your job. Say, "I'm sorry and I'll fix it."

**The Speaker:** The member for London North, please come to order.

**Hon Mrs Grier:** —what in fact is planned, what in fact the security will be, so that they will understand that these are not going to be people who will be in the community. In fact these are people who are going to be much more securely within the hospital than many of the patients who are there now.

#### DRIVERS' LICENCES

**Mr Gordon Mills (Durham East):** My question this afternoon is to the Minister of Transportation, and the question reaches right into the heart of why we're here. We're here to speak up for our constituents.

The question that I want to ask you, Mr Minister, this afternoon is this: One of my constituents has been blind for the last eight years, and he's been on a disability pension for that reason. Suddenly a miracle has happened and he's got his eyesight back. He's absolutely filled with euphoria at entering the workforce again and not being a burden on any of the social nets.

He has given up his pension and has gone to the local licence bureau to obtain a driver's licence that he had for 31 years. He was told at the drivers' bureau that due to the pressures of the testing system, he will be unable to get a licence until 1995. I appeal to you, Mr Minister, for an answer to this, because it's depriving my constituent of making a living, which he dearly wants to do.

**Hon Gilles Pouliot (Minister of Transportation):** Well, what better news. We're pleased, needless to say, that his eyesight has returned, and you will indeed convey our good wishes.

The person in question, the member advises, has had his driver's licence revoked by virtue of blindness for the last eight years. We have introduced a graduated driver's licence which is made for new people, regardless of age, from 16 upward entering the system, or if your licence, be it in good standing, has lapsed for a period surpassing more than three years. In this case, with the highest of respect, the licence has lapsed for a period exceeding eight years. We have to be strict.

I have 1,100 reasons to favour a graduated driver's licence: 1,100 people who lost their lives on the roads and highways of Ontario last year.

**The Speaker (Hon David Warner):** Would the minister conclude his response, please.

**Hon Mr Pouliot:** While we sympathize, we have to be rather strict and uniform, although we will be reasonable indeed in our enforcement of graduated drivers' licences.

**Mr Mills:** Thank you very much, Mr Minister. What I'd like to know and what my constituent would like to know is whether there is any possibility that he can call

someone in your office and discuss this further. Because I really think that the circumstances surrounding my constituent are very rare and need some direct assistance. I wonder if you could tell me that.

**Hon Mr Pouliot:** Let me be direct. This is an action directe question and it requires the same kind of answer. Sorry I'm repetitious, but you have to be strict.

The member mentioned in his original question, in his first question, that a test will not be granted before 1995. We're talking within the confines of the graduated driver's licence. In an emergency, a human dimension extraordinaire issue, a special case or the need to find a job, and you wish to jump the queue under the new graduated driver's licence system, no getting away from it, then we have built in some flexibilities within the system to allow that possibility.

I would like to encourage the member to give us more particulars, for no two cases are the same.

#### TENDERING PROCESS

**Mr Hans Daigeler (Nepean):** The Minister of Transportation can just stay on his feet, and I hope his answer will be a little bit more direct than the one he just gave.

Minister, your government has decided to use tolls to build the 407 faster. In other words, you're levying a special tax so that this road can be built faster. Normally, through the annual appropriation process, as you have indicated, it's likely it would take a lot longer, but with this special tax you feel you can build it faster.

The question remains, however, and you've been asked that before, why does the NDP insist on bypassing the proper process of public tendering for the building and maintenance of this project over the next 30 to 35 years, because that will be the length of the contract.

The chosen consortium will not finance the project, which had been the main reason why you limited the bidding process. In view of this fact that this is a public project now, will you separate the toll technology aspect of this road, for which I think some of the consortium members have a special expertise—

**The Speaker (Hon David Warner):** Could the member place his question, please.

**Mr Daigeler:** —from the building and maintenance features so that all roadbuilders in Ontario can properly bid on this project?

**Hon Gilles Pouliot (Minister of Transportation):** The member opposite is right. As we develop the team for the 407, and the member has mentioned that without the possibility of tolls, without the opportunity afforded to the capital corporation, without that innovative system, it would take—I think you mentioned the year 2025; you're right. We had the choice to wait until we're into our twelfth term of office to complete the road or to do it by the year 2000, six years from now. We chose the latter because it puts people to work and it responds to the 401 being oversubscribed.

There was no problem. Economies of scale are what we have to keep in mind. Both consortia are extremely capable to meet the size of the project. Their financial capabilities are assured. We've already saved \$200

million in value engineering. A bigger piece of the pie will ensure that we will save even more—

**The Speaker:** Would the minister conclude his response, please.

**Hon Mr Pouliot:** —in the future, but we have to go "whole sum." Economies of scale are the driving force, and the innovation of the capital corporation charging tolls to repay the lenders makes it all possible. The users will pay for the 407, and it will happen in a relatively short time of six years for a project worth well over \$1 billion, creating well over 20,000 jobs.

**Mr Daigeler:** Since I do believe the minister is an intelligent person, I can only conclude that he's deliberately sidestepping the real issue here. The issue is not the tolls, the issue is not the savings that he referred to because, frankly, those savings are because he's building less road than was originally planned. The issue is why are a great many of Ontario roadbuilders excluded for the next 30 to 35 years from bidding on one of the biggest construction projects in this province?

1440

I would like to say to the minister in the words of one of those contractors, who so far has been excluded, and he's not part of the consortium, "This immense project will be awarded to a select group and to the disadvantage of both the industry at large and the general taxpayers and motorists of the province."

Minister, the issue is, can you assure me and the taxpayers that their tax money is properly spent and the proper public tendering process will be followed?

**Hon Mr Pouliot:** With respect, we have to keep in mind that the consortia are made of several companies. Once you get to the subcontracts, you pretty well involve more than 50% of the roadbuilders, of the contractors. Then we have to keep in mind, because we begin to understand in phase 2, Mr Speaker, phase 2 being the infrastructure program, that provincial-municipal-federal entity, that one third of the municipal contract—

**Mr Daigeler:** What does that have to do with the question?

**Hon Mr Pouliot:** Let me answer please. You're talking about jobs for contractors, for people who build roads. Well, one third of the submissions have Ministry of Transportation guidelines and contracts attached to it so they'll be building more municipal roads. We're moving on four subway lines. That's transportation money.

Our transfer payments, which will be announced tomorrow, will resemble what was allowed last year, so there's no decrease there. We've been able to preserve our base highway capital program, so there will be more work during the next construction season than ever before, regardless of the difficult times that we've been in. This is good news for the roadbuilders and it's cause for celebration indeed.

#### POLICE OFFICERS

**Mr Charles Harnick (Willowdale):** My question is to the Attorney General and it's regarding the special investigations unit. The special investigations unit was audited through your ministry, and the very first recom-



mendation was that the Attorney General is to deal with the issue as to whether police officers must give statements and potentially incriminate themselves.

I know that the report has now been in the minister's hands for many months. I have yet to see any legislation to amend the Police Services Act to clarify this situation, and I wonder if the minister can tell us whether she will be introducing legislation this spring that will clarify whether police officers must incriminate themselves or whether police officers will be given the same protections as all other potentially accused people who might have been involved in a crime.

**Hon Marion Boyd (Attorney General):** The member may be aware, certainly it was part of our release when we received the audit report, that we had committed ourselves to a six-month process of consultation with police service organizations and with the general community around the findings in the report, and that would include that particular issue. There has been a great deal of discussion between the Solicitor General's ministry, my ministry and the police service organizations around what form of accommodation we could make to clear up some of the investigations that are there that continue to not be resolved because of lack of interviews with police officers, and we have reached some conclusions.

There are still a number of cases in which the investigation has not been able to be completed for that reason, and we remain concerned about that. But we're equally concerned about maintaining the rights of the individual involved, a police officer or not. This is not an issue that we would expect to be giving any kind of legislative solution to this spring.

**Mr Harnick:** The question is very simple. Are you going to bring in legislation or are you going to continue to let the officers who are now the subject of investigations languish? You know, it's a very simple proposition. You're either going to do something or you're going to do nothing. But you've been studying this issue, which has been in your bailiwick, for over two years. I want to know when we can expect to see legislation and when these officers can find that the dilemma they're in is going to be resolved. Will you tell us?

**Hon Mrs Boyd:** I did say to the member that we do not anticipate bringing in legislation this spring, that what we are trying to do is reach an agreement about how to deal with the legislation as it now stands, understanding that eventually the legislation will need to be changed.

There are many recommendations in the audit report and in other reports that have been done about changes in the Police Services Act. It seems to us to be not a good use of the time of this Legislature to make one change in the Police Services Act, even if we could resolve that issue satisfactorily to the consensus of all those parties—and we haven't been able to do that yet—when there are many other issues that require further discussion with the police service organizations and with the community.

#### CAMPING FEES

**Mr Gary Wilson (Kingston and The Islands):** My question is to the Minister of Natural Resources. Algonquin Park has built its reputation as one of the

finest parks in the country by making the experience of Ontario's wilderness accessible to people. My question for you concerns a group of people from my riding for whom that experience could be the experience of a lifetime.

Camp Outlook is a charitable, non-profit organization run by volunteers. Every summer for the past 24 years this group has taken about 120 disadvantaged Kingston-area teenagers on canoe trips into the park, far from their often troubled lives at home.

Recently your ministry announced that for the first time, charitable groups like Camp Outlook will pay a fee to use Algonquin Park. Members of Camp Outlook have told me that the new fee will increase their annual costs by about \$4,000. I've also had a petition signed by some 350 people asking that the ministry exempt Camp Outlook from paying the fee.

Minister, could you please tell me if there is some way Camp Outlook can continue to use the park for free to carry on its valuable work with troubled youths?

**Hon Howard Hampton (Minister of Natural Resources):** It's true that last year when we examined the fee schedules of the provincial parks, we found some situations which are clearly inequitable. We have situations where a number of people in the province are paying full fees, we have other situations where some groups were paying half fees and still other situations where some groups were paying no fees.

It was very hard to find a rationale for the differences, so what we have done, in the interests of an equitable sharing of the costs of running our parks system and in the interests of recognizing the value of the resources we have in our parks system, is reorient the park fee system.

Qualifying youth groups will be asked to pay what amounts to half fees. They are the same fees that senior citizens are asked to pay, and we think we have created a more equitable situation. Everybody must pay to recognize—

**The Speaker (Hon David Warner):** Could the minister please conclude his response.

**Hon Mr Hampton:** —the value of the resources, but we have recognized the ability to pay as between different groups.

**Mr Gary Wilson:** Minister, the people at Camp Outlook recently suggested to me that they would be willing to offset the cost of the entrance fee by doing park maintenance on interior trails and campsites. Another possible suggestion to mitigate the effects of this new fee would be to impose it gradually so the group would not have to bear the full weight of the fare immediately. Minister, would you consider either of these options to help this dedicated group continue using the park?

**Hon Mr Hampton:** There are a couple of options. The reality is that Algonquin Park, along with some of our other larger parks, has a volunteer program. Camp Outlook, which does perform a valuable service, could apply to park officials to be recognized under the volunteer program.

It may also be that for some of the activities that Camp

Outlook wants to carry on, they might be better off to carry on those activities on crown land outside the park. So while half fees will have to be paid, it may be possible for Camp Outlook to work something out with the volunteer program and to use other crown land for some of its activities.

1450

#### CONFLICT-OF-INTEREST LEGISLATION

**Mr Bernard Grandmaitre (Ottawa East):** My question is to the Minister of Municipal Affairs. As you know, Mr Minister, conflict-of-interest legislation has been on the mind of every taxpayer and municipal politician in the province. You and your predecessor had promised AMO two years ago that you would introduce such legislation.

I find that if you keep stalling with the legislation, it will be too late for the 1994 municipal elections. If you intend to introduce such legislation, I would like to know what your timetable is all about.

Also, municipal candidates must know well in advance, as you know, Mr Minister, what rules will govern their office before proceeding to run in the upcoming municipal elections. What is your legislative agenda? Will you introduce such legislation?

**Hon Ed Philip (Minister of Municipal Affairs):** I thank the member for an excellent question and I'll be happy to answer his question.

I agree with you that any legislation should be fair and therefore should apply to candidates as well as incumbents. You cannot have legislation in place after the election and therefore have one set of standards for the people who won the election and one for those who did not. I agree fully with that.

I have met with AMO. We've had a committee that has worked with AMO to try to find out what is the best possible course of action, what should be in the open government concept, and I think we're in some agreement. I can assure you that we will be making an announcement fairly soon.

I have assured AMO that, one, we intend to move ahead with open government legislation, and two, that it will be done in such a way that an incumbent or a sitting member of council is not put at a disadvantage compared to a candidate against that person.

#### MOTIONS

##### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Government House Leader):** I move that Mr Hope and Mr Winninger exchange places in the order of precedence for private members' public business.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

#### PETITIONS

##### SALE OF AMMUNITION

**Ms Dianne Poole (Eglinton):** I have a petition signed by constituents:

"To the Legislative Assembly of Ontario:

"Whereas it is imperative that we make our streets safe for law-abiding citizens;

"Whereas any person in Ontario can freely purchase ammunition, even though they do not hold a valid permit to own a firearm;

"Whereas crimes of violence where firearms are used have risen at an alarming rate; and

"Whereas we must do everything within our power to prevent illegal firearms from being used for criminal purposes;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To immediately pass Liberal Bob Chiarelli's private member's bill, Bill 151, to prohibit the sale of ammunition to any person who does not hold a valid firearms acquisition certificate or Ontario outdoors card."

I have signed this petition in support.

#### SEXUAL ORIENTATION

**Mr David Tilson (Dufferin-Peel):** I have a petition of 19 signatures addressed to the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a union between a man and a woman are under attack by Liberal MPP Tim Murphy in his private member's Bill 45; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no PC support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently with the legislative committee on the administration of justice and is being readied for quick passage in the Legislature; and

"Whereas this bill has not been fully examined for financial and societal implications;

"We, the undersigned, petition the Ontario Legislature to stop this bill and future bills which would grant same-sex couples the right to marry, and to consider its impact on families in Ontario."

I have affixed my signature to this petition.

#### LAND-LEASE COMMUNITIES

**Mr Larry O'Connor (Durham-York):** I've got a petition here to the Legislative Assembly of Ontario:

"Whereas Bill 21 has received second reading in the Legislative Assembly of Ontario; and

"Whereas Bill 21 provides needed protection for owners of mobile homes in mobile home trailer parks and owners of modular homes in land-lease communities"—like Sutton-by-the-Lake in my riding—"and

"Whereas many owners of mobile homes are threatened with eviction and loss of their investment in their mobile home by the action of their landlord;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To proceed as expeditiously as possible with third reading of Bill 21."

It's been signed by residents who live on Damsel Circle, Kelsey Crescent, Geneva Court, Roxanna and Hummingbird Circle as well. I affix my name to it.



## SEXUAL ORIENTATION

**Mr John Sola (Mississauga East):** I have a petition here from Christ Our King Lutheran Church in Mississauga.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it.

"We believe that there will be an enormous negative impact on our society, both morally and economically, over the long term if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, which is enjoyed by everyone by law now. But since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code and may include sadomasochism, paedophilia, bestiality etc, and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age and sex, we believe all such references should be removed from the code."

It's signed by 73 members of Mississauga.

## FIREARMS SAFETY

**Mr David Ramsay (Timiskaming):** "Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"I/We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

**Mr David Tilson (Dufferin-Peel):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to the minister the Solicitor General's decision on the firearms acquisition certificate course and examination; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I have signed this petition.

**Ms Jenny Carter (Peterborough):** I have a petition to the Legislative Assembly of Ontario which is identical to the one which has just been presented and which is signed by over 300 people from different communities throughout Ontario.

## HOUSING LEGISLATION

**Mr Gilles E. Morin (Carleton East):** I have a petition that comes from the residents and family members of the Bearbrook Court Retirement Residence: "We are consumers who will be directly affected by Bill 120." Instead of reading the whole petition, in respect for my colleagues I will keep it short. I will sign this document and I am also opposed to it.

1500

## FIREARMS SAFETY

**Mr Chris Hodgson (Victoria-Haliburton):** "Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas we should not have to take the time or pay the costs of another course or examination;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course."

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a number of petitions.

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I shall sign this petition.

## LANDFILL

**Mr David Tilson (Dufferin-Peel):** I have a petition from a number of constituents in King City. It's addressed to the Legislative Assembly of Ontario:

"Whereas the recent announcement by the NDP government to choose three superdumps within the greater Toronto area has disturbed and upset local residents; and

"Whereas these superdumps might have been prevented if Bill 143 had allowed the Interim Waste Authority to look at all alternatives during the site selection process; and

"Whereas we would like to ensure the province of Ontario is making the best decision based on all the facts regarding incineration and long rail-haul and garbage management;

"We demand that the NDP government of Ontario repeal Bill 143, disband the IWA and place a moratorium on the process of finding a landfill to serve all of the greater Toronto area until all alternatives can be properly studied and debated."

I support this petition and I have signed it.

#### SOCIAL CONTRACT

**Mr David Ramsay (Timiskaming):** "To the Legislative Assembly of Ontario:

"Whereas Bill 48, with its provision for an increment grid freeze, creates wide discrepancies in education sector salary losses required to meet the savings target of the social contract; and

"Whereas Bill 48 unfairly penalizes younger, less financially secure members of the teaching profession, as well as their senior colleagues nearing retirement, for many years beyond the purported three-year commitment required by the social contract; and

"Whereas Bill 48 implicitly undervalues the contributions of female teachers who, having left teaching for years in order to raise children at home, now find themselves caught on the grid with relatively low, frozen salaries upon resuming interrupted careers; and

"Whereas Bill 48, with its arbitrary suspension of terms of collective agreements arrived at in good faith, contravenes the long-espoused belief by the New Democratic Party that the collective bargaining process is a sacred and fundamental cornerstone of democracy;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That, without delay, the Legislative Assembly vote to rescind Bill 48, and thereby free up negotiated salaries that help to stimulate renewed consumer confidence in spending; the result in economic growth should help to save precious public sector jobs and services."

I support this and will affix my signature.

#### SEXUAL ORIENTATION

**Mrs Joan M. Fawcett (Northumberland):** I have a petition from 37 people in my riding in the Campbellford area. It's a petition to the Legislative Assembly of Ontario:

"Whereas Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex,' drastically redefining the family as we know it.

"Whereas Bill 55 will make it illegal for people to make any public statement, written or oral, which ridi-

cules, demeans or discriminates against a person on the grounds of sexual orientation, threatening free speech in a democratic society and the freedom of religion for historical Christianity, which does not condone homosexuality;

"Whereas Bill 58 will allow legal actions to be launched against any person or organization that promotes hatred or the superiority or inferiority of a person or class of persons;

"Whereas we believe that Bills 45, 55 and 58 will cause an enormous negative impact on our society over the long term because of the redefinition of fundamental institutions of marriage and family;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the House refrain from passing Bill 45, Bill 55 and Bill 58 and that 'sexual orientation' not be added to the Ontario Human Rights Code."

#### CASINO GAMBLING

**Mr Michael A. Brown (Algoma-Manitoulin):** "Whereas the government of Ontario has permitted the construction of a casino gambling establishment in the city of Windsor, citing as reasons the attempt to assist border communities hit hard by cross-border shopping, free trade and the proliferation of gambling casinos in surrounding provinces and the border states; and

"Whereas the government of Ontario has further indicated its intention to permit the establishment of a second casino in the province by a first nation of Ontario; and

"Whereas the United Chiefs and Councils of Manitoulin on Manitoulin Island has publicly declared that it would like to see the first native casino in the province built on Manitoulin Island; and

"Whereas many Christian denominations across Canada have taken the lead in opposing legalized gambling in all its forms, including lotteries and casinos, calling it a regressive tax on the poor and a magnet for criminal activities and warning of the selfishness of gambling; and

"Whereas many church ministers in Windsor, where the first provincially sanctioned casino is slated to open some time in 1995, fear that the opening of this casino will lead to gambling addictions and related family and social problems, requiring them to meet the social needs of gamblers and their families; and

"Whereas Manitoulin Island is already known to have a higher rate of social and health problems than the provincial average, including a rapidly increasing crime rate for its population size, especially in the areas of spousal and family abuse brought about, in part, by alcohol-related problems and poverty, both of which could be exacerbated by the establishment of a gambling casino, the premise of which is to make winners of a few at the expense of the majority of losers;

"Therefore, we, the undersigned, respectfully ask the government of Ontario to reconsider the establishment of gambling casinos anywhere in the province, and that the government of Ontario turn down the request by the UCCM to build a casino on Manitoulin Island."



## FIREARMS SAFETY

**Mr Murray J. Elston (Bruce):** I have a petition addressed to Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario, sponsored by the Ontario Federation of Anglers and Hunters.

Basically, it has asked that the "undersigned petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario" to change their plans and "grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I have attached my signature to this petition.

## LONG-TERM CARE

**Mr Murray J. Elston (Bruce):** To the Legislative Assembly:

"Whereas the government of Ontario has stated that multiservice agencies, the new single, local point of access for long-term care and support services, must purchase 90% of their homemaking and professional services from not-for-profit providers, therefore virtually eliminating use of commercial providers;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We protest the action to drastically reduce the service provision by commercial providers and respectfully request that the impact of this policy decision, including a cost study, be performed before any further implementation."

I have attached my signature to that.

1510

## ORDERS OF THE DAY

**Hon Brian A. Charlton (Government House Leader):** Madam Speaker, just before we proceed with the moving of third reading of the bill, I believe we've reached an agreement among the House leaders that the parliamentary assistant will move third reading and speak for two minutes, that the member for Ottawa Centre will speak for an additional five minutes and that then the two opposition parties will split the remaining time in the hour that's set out in the time allocation motion.

**The Acting Speaker (Ms Margaret H. Harrington):** Is it agreed? Agreed.

I would just like to remind you that we are proceeding following the order of the House dated April 7, 1994, which states that one hour be allotted to the third reading stage of the bill. At the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment.

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON  
AND FRENCH-LANGUAGE SCHOOL BOARDS  
STATUTE LAW AMENDMENT ACT, 1994LOI DE 1994 MODIFIANT DES LOIS  
CONCERNANT LA MUNICIPALITÉ RÉGIONALE  
D'OTTAWA-CARLETON ET LES CONSEILS SCOLAIRES  
DE LANGUE FRANÇAISE

Mr White, on behalf of Mr Philip, moved third reading of Bill 143, An Act to amend certain Acts related to The

Regional Municipality of Ottawa-Carleton and to amend the Education Act in respect of French-Language School Boards / Projet de loi 143, Loi modifiant certaines lois relatives à la municipalité régionale d'Ottawa-Carleton et la Loi sur l'éducation en ce qui a trait aux conseils scolaires de langue française.

**Mr Drummond White (Durham Centre):** On behalf of the Minister of Municipal Affairs, I rise to present for third reading Bill 143, an act that will reform regional government in Ottawa-Carleton.

The main features of this legislation include: direct election to regional council, to be in place for the 1994 civic election; regional responsibility for policing under a regional police services board; a new role for regional council in acquiring land for economic development purposes; and provisions concerning French-language school boards in the region.

The hearings held by the standing committee on resources development accomplished a great deal after two full days were devoted to listening to approximately 40 deputations. A broad cross-section was heard from, both those who supported and those who opposed the bill. They included local politicians, ratepayers, business organizations and both urban and suburban residents.

There can be no doubt of the level of interest in regional government in Ottawa-Carleton and in the sincerity of the views that were presented. However, a substantial process has been followed in developing these reforms, and these hearings were only part of that process. There has been a broad consultation on these issues including three studies in the past several years. The population as a whole supports this legislation overwhelmingly.

The time has come to act, and the time has come to put into place a new system of regional government which will serve the present and the future needs of Ottawa-Carleton. The time has come to act, and this is the act which the population of Ottawa-Carleton supports.

**Hon Evelyn Gigantes (Minister of Housing):** I represent very proudly the riding of Ottawa Centre, and I am absolutely delighted that we have come to third reading of Bill 143. If I could just take a few moments for members of the House and interested people who may be watching to outline what we've done as a government in addressing the questions around the structure of regional government in Ottawa-Carleton since we were first elected in the fall of 1990, the then Minister of Municipal Affairs, Dave Cooke, announced first of all that we would be taking steps to make sure that in the subsequent municipal election in 1991, the office of regional chair would be one for which the population as a whole could vote, and that was a first. Up to that time, the chair of regional council had been chosen among people on the regional council, who voted among themselves for a regional chair. It was a very widely accepted change, and it was taken in the context of an outline by Mr Cooke at that time of the measures the government would undertake to address the larger questions of the structure of regional government.

Our regional government will be 25 years old this year. It's the oldest in all of Ontario, and the basic structure

has not changed significantly since it was first constructed under the Conservatives way back 25 years ago. Times have changed, and there's a wide recognition in Ottawa-Carleton that the structure of regional government, which now has a budget of \$1 billion a year, also needed to change to reflect people's real desire to see a more accountable regional structure.

The problem with the current structure has been one in which people are elected at the municipal base to represent the people in their municipality within their municipality, but they also became representatives on regional council. The ways in which that was done differed from municipality to municipality, but for example, in the city of Ottawa each council member of the city of Ottawa automatically became a member of the regional council, a very indirect and arm's-length kind of responsibility and one that I think people in Ottawa-Carleton have come to see as not very satisfying in terms of its public accountability.

When Mr Cooke first outlined what we would be doing, he said that we would undertake further consultation with the public of Ottawa-Carleton. That was done with the assistance of the commissioner appointed, Graeme Kirby, who did an absolutely top-notch job of involving the public in Ottawa-Carleton in discussions around the regional structure. I think all sides of the House agree on that and there's widespread appreciation in Ottawa-Carleton for the work that he carried out.

Following the recommendations that Mr Kirby brought to the government, new legislation was tabled back in July 1993 very much in the form that it sits before us today. It addressed, as my colleague from Durham has suggested, some very basic issues of responsibility for matters which should lie at the regional level: matters affecting the environment, economic development and policing, most importantly.

I think the time has come that people in Ottawa-Carleton are more than ready to see these changes. I'd like to personally, on behalf of people in Ottawa-Carleton, thank all members of this Legislature who have participated in work on this legislation, many of whom came to visit Ottawa-Carleton and hear the deputations that were made to the standing committee and expressed a great deal of interest and concern for the views of the people who came before that committee. I very much appreciated that, and on behalf of people in Ottawa-Carleton I'd like to express my personal thanks for their assistance.

**The Acting Speaker (Ms Margaret H. Harrington):** Each of the opposition parties will now have 26 minutes to express their views.

**Mr Bernard Grandmaitre (Ottawa East):** What else is new at Queen's Park? Not much: another closure motion. This is the 14th time this government has used time allocation. The minister is not present today; he's being represented by his parliamentary assistant. The Minister of Housing is leaving the House after a very short speech of seven minutes, for the simple reason that she didn't want to hear the truth, the real truth, about Ottawa-Carleton and the major changes introduced in Bill 143.

I want to admit that in Ottawa-Carleton, being 25 years old, our government needed some fine-tuning. That's why David Bartlett and Katherine Graham were commissioned to do a study on delivery of services and also the composition of our regional wards. These two studies were done by professional people and it made a lot of good sense.

We were told time after time by the Minister of Municipal Affairs that people in Ottawa-Carleton supported Bill 143. I want to tell you otherwise.

We witnessed only last Friday, April 15, and Saturday, April 16, in Ottawa—we finally convinced the minister that some hearings should take place in Ottawa-Carleton. I want to tell you that of the 31 deputations, the 31 submissions tabled or given to us verbally, 95% of the submissions were against Bill 143 in its present form. So to say that the majority of the people of Ottawa-Carleton support Bill 143 is totally wrong.

1520

I want to tell you about the supporters, the original supporters, of Bill 143. I know the minister has used the Ottawa-Carleton Board of Trade's name on a few occasions, saying, "I have the support of the Ottawa-Carleton Board of Trade." Well, only Sunday in the Ottawa Sun—I want to quote the Ottawa-Carleton Board of Trade:

"Willy Bagnell, president of the Ottawa-Carleton Board of Trade, says the city of Ottawa has already made the first mistake by giving councillors a full-time salary of \$45,000.

"If regional council ends up being a full-time job that would be a mistake," says Bagnell. "We've always supported this bill because it was a step in the right direction to one-tier government."

The minister—not only the Minister of Municipal Affairs but the Minister of Housing, the member for Ottawa Centre—has always said that no, this will not lead us to one-tier government. Everybody else, even their supporters, is saying this bill will lead us to one-tier government. Again, even the regional municipality of Ottawa-Carleton, their staff are having second thoughts on Bill 143. Let me quote again from the Ottawa Sun of last Sunday, from the regional municipality CAO.

"At the regional municipality of Ottawa-Carleton, they're not sure what impact reform will have.

"It's going to be the major role for staff to coordinate with staff from other cities," concedes chief administrative officer Merv Beckstead.

"After 22 years of municipal service, including time with the city of Nepean, Beckstead was starting to have his doubts."

I just want to prove to this House and to the Minister of Municipal Affairs that their support is dwindling, and this is only third reading. It hasn't received royal assent yet, and their supporters are dwindling.

I know that I have very little time because other members of the Ottawa-Carleton region will want to address this bill. But again, I want to point out that time allocation and time closure are being used again. Bill 143 is not of major importance to this government. The minister should be in the House to listen to what the members of Ottawa-Carleton have to say about Bill 143.



Let me go back to our hearings in Ottawa-Carleton on April 15 and 16. People were refused for the simple reason that we had no time. They had no time to hear the opposite. They wanted to shut people up, and that's exactly what Bill 143 is doing; that's exactly what time allocation is doing. We're not getting used to it. We will continue to fight the government, because this is the wrong legislation that we need in Ottawa-Carleton. We need a regional government that will work with local municipalities.

In the beginning, 25 years ago, regional government was instituted in Ottawa-Carleton to work with 11 municipalities; to work and to share in economic development, share in transportation costs, in social services.

What we are doing today is we are destroying local government in Ottawa-Carleton. Don't be surprised if within the next few months that this government has in power it continues to destroy local government. Yet this government was supposed to be the government by the people, for the people. "Write in; come and visit us." Even this afternoon the driver for the Minister of Transportation was going to pick up his own colleague who had a problem in his riding. So that's how accommodating they are. "Come and visit us, come and see us; open doors."

Yet when it comes to Ottawa-Carleton, when it comes to eastern Ontario, well then, we're off the map, because this government thinks that anything east of Bay is eastern Ontario. We have to remind them every so often that Ottawa-Carleton exists. We represent 750,000 people and we will be heard.

I don't know why the present Minister of Municipal Affairs didn't use an arbitrator, because nobody knows what the real cost of this new regional government will be in Ottawa-Carleton. They did it for Middlesex; they appointed an arbitrator to look at the cost. But now people are questioning the cost of this new regional government. Why?

They didn't introduce time allocation for the Middlesex bill. No way. But Ottawa-Carleton? I point out again, not a member from that side, the NDP side, from the Ottawa-Carleton area is present today to address this very important bill.

I will vote against this bill because this is the wrong legislation for Ottawa-Carleton. They will pay the price in future years.

**Mr David Johnson (Don Mills):** It's with a little bit of sadness that I speak on this issue today. I have been involved in this debate through a number of months now and I can say that this bill is being watched closely, not only in the Ottawa-Carleton region but right across the province of Ontario, because what happens here in the Ottawa-Carleton region from a municipal structure point of view is quite likely going to be the vision of the future across other municipalities in the province of Ontario.

The vision that we're seeing is one-tier local government. So perhaps in the future, when we look back, we'll say, "This is the day that local municipal government died in the province of Ontario."

I think it was an excellent approach to go to Ottawa.

We had very limited time. This whole issue has been rushed through. The government did not give priority, first of all to Bill 77, now to Bill 143, which encompassed the structural changes for municipal government. Because the government did not give priority, this matter was rushed through with great speed. The people in Ottawa-Carleton were allowed one and a half days, a Friday and a Saturday morning; a very sad state of affairs. That's all the time that was allowed to speak to this bill.

Notwithstanding that, we accommodated within that short period of time as many people as we could. The overwhelming view of not only the people of Ottawa—when I say "Ottawa," I mean Ottawa-Carleton—but the business community in Ottawa-Carleton, the politicians in Ottawa-Carleton, was in opposition to Bill 143 as it stands today.

However, those who did speak in favour—and there were some people who spoke in favour. The mayor of the city of Ottawa, for example, spoke in favour and she made it clear that she was in favour of one-tier government. When she said "one-tier government," she meant a regional sort of government. She did not mean local governments, but a regional sort of government.

The board of trade of Ottawa was also in favour of this bill, to be fair. Again, the board of trade's point of view is that this is a step towards one-tier government. They would support one-tier government because, in their view, we have too much government, and eliminating one level of government would be a healthy step.

Those, almost unanimously, I would say, who did speak in favour of this particular bill—and they were very much in the minority—were clearly in favour of a one-tier government. They were clearly in favour of eliminating the local governments. That's what we found. I'm not surprised, but that's what we found. I think that's the vision of the future of this NDP government for the province of Ontario.

That's why we found, not when we went to Ottawa-Carleton but through the process of this whole debate, that opposition has come in from across Ontario. Opposition has come in from here, Metropolitan Toronto. Opposition has come from many, many municipalities, large and small, across this province, because they see the writing on the wall and they realize that if this government is prepared to implement a form of government that is a step towards one-tier government in Ottawa-Carleton, this government will obviously be prepared to implement that level of government anywhere else in the province, and that's what's striking fear into the hearts of municipalities.

1530

I might say that the mayors and municipalities across Ontario have every right to be concerned about one-tier government. It has not been proven that a one-tier government is less costly and more effective in terms of delivering services to the people of Ontario.

As a matter of fact, there was a report commissioned by the 11 municipalities in the Ottawa-Carleton region from Price Waterhouse. Price Waterhouse looked at the

cost of a one-tier council. And what did they find? Not surprisingly to me, they found that the one-tier system would be more expensive than the two-tier system that's in place today. Salary levels would tend to rise to the most expensive level. The level of service would tend to rise to the most expensive level. There are many reasons one-tier government would be more expensive than the setup that's there today. As a matter of fact, the Price Waterhouse report indicated that the additional expense just for the services delivered today would be somewhere in the range of 7% to 15%, I believe it was, more expensive. That's the kind of government we're heading to.

What we also heard—and I guess it's a restatement of this concern—from people, from politicians, from the business community, is, why not do a cost analysis of this government? I see the parliamentary assistant is watching now. I know he's heard that question and I'm sure I stated that question to him during the debate: Why not do a cost analysis?

We have, for example, a councillor in the city of Ottawa, Peter Harris, who says that the costs will be up to \$4 million simply for the full-time councillors. This same Councillor Harris from the city of Ottawa says, "It's hypocritical at this time to insert a new, costly measure to govern Ottawa-Carleton." It says, and this is the key statement, "The taxpayers in Ottawa-Carleton want less government, not more government."

That is perhaps the bottom line to all of this: The taxpayers want less government, they want less expensive government. That's what they're pleading for. If you see a survey or poll, I'll wager you that the bottom line somewhere in that survey or poll is indicative of the fact that people want less, and less expensive, government, including at the local level. But have we done a cost analysis? No, we haven't done a cost analysis. There's a councillor from the city of Ottawa saying it's going to be costly.

Here's a private citizen who lives in Osgoode township, has a business in the city of Ottawa, Dale Harley, and in his brief to us when we were in Ottawa, he indicated: "It is evident that there has not been a thorough examination of the financial impact of Bill 143 on local taxpayers.... I encourage the government to carry out a proper study of the financial implications of this bill."

Shouldn't that be automatic? In this day and age, when it is so imperative that we control government costs, when a significant change is made shouldn't it be automatic that we have a cost analysis to show what the additional costs are, the additional costs in policing, the additional costs associated with direct election, the additional costs in terms of the works activities that will be associated with the region, the extra economic development activities that will be taken over by the region? We have no costs on this. We simply have blind faith that this is somehow a better government and it should be implemented.

We have the chamber of commerce of the city of Gloucester saying, "The chamber of commerce is deeply concerned with the choice that the government has made

to go ahead with major and costly structural changes when less costly administrative changes could have been achieved through simple bilateral negotiated improvements and reallocation of duties and responsibilities between local and regional governments."

They're saying: "How about a little common sense? Let's not impose a costly structure. Let's just sit down, discuss this and work out what makes common sense, avoid the duplication, and we'll have an effective level of government." That's the chamber of commerce speaking from Gloucester.

So there you have it. We have citizens, we have the business community and we have politicians, in majority, in the Ottawa-Carleton region saying this bill is not headed in the right direction.

Just one extra minute for me to finish up: There was considerable concern expressed with regard to community policing. Communities such as Nepean and Gloucester, that have their own police force, are very concerned they will lose a service they're very proud of, a service that is delivered on a cost-effective basis within their municipalities. There will now be a regional police force. They're concerned that the regional police force will not have the same contact with the local citizens that they have with their community-based policing now. I think they have every right to have that concern.

Kanata now has an arrangement with the Ontario Provincial Police, and the cost for policing in Kanata is about half the cost per person of what it is in the city of Ottawa. So Kanata is looking not only at the loss of a police service tailor-made to their community but also at a significant increase in cost.

Finally, the liaison between the municipalities was of uppermost concern in everybody's mind, the fact that the mayors will no longer serve on the regional council. This message came through time and time again. People will still look to their mayors for answers: answers on local issues, answers on regional issues. They will still hold the mayors accountable for all of those issues, but the mayors will no longer have regional responsibilities. That linkage between the local and regional municipalities will be lost, that linkage that's important so that all the municipal politicians, the local and regional politicians, will work together on transportation issues, planning issues, waste disposal issues, all those issues. That linkage will be lost, and I'm afraid it will lead to a more parochial approach.

That certainly is the concern of the deputants we've heard in the Ottawa-Carleton region. Unfortunately, I'm afraid it will lead to a conflict between the two levels of government and ultimately the disappearance of local government in the region of Ottawa-Carleton.

With those words, I will sit down and allow the member from Carleton to take over the rest of the debate.

**Mr Gilles E. Morin (Carleton East):** Before I start the debate, I'd like to inform the constituents of my riding, the members from the Ottawa-Carleton region, that we're debating an extremely important bill, Bill 143, and the Minister of Housing, representing Ottawa Centre, is not even in the House. The Minister of Municipal Affairs, who was supposed to be so excited to introduce



the bill and pass it through as quickly as possible, is not even in the House.

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** On a point of order, Madam Speaker: I have the greatest respect for the member who is just beginning to speak, but I would point out that it is completely against the rules of the House to refer to the presence or absence of another member of the assembly.

**The Acting Speaker:** Thank you. I believe you are correct.

1540

**Mr Morin:** The bill we are debating today, Bill 143, is the product of a very sad state of affairs. It is the result of this government's lack of commitment to the very principles it claims to embody, to the democratic principles of justice, responsibility to the electorate, openness, respect of differing views, and the list goes on. This government might as well be governing by decree. The end result would be the same.

For years now the people of the Ottawa-Carleton region have awaited reform. They grow increasingly concerned about quality of services, cost and efficiency, and yet they remain attached to the local government and are proud of their community. These are very positive and constructive points, proof that despite the violence, the uncertainties and the lack of focus that often seem to characterize our society, there is an underlying current of decency, caring, respect and hope for the future.

As politicians, as part of the political system, we should be building upon these sentiments. Now is not the time to disrupt communities, to tear at the fabric of our communities, which is what Bill 143 does.

The Minister of Municipal Affairs introduced Bill 143, then known as Bill 77, last summer: July 22, 1993, to be exact. Nothing happened. There appeared to be no sign of urgency. The government was obviously not concerned with deadlines nor with the upcoming municipal elections. Instead, it accused opposition parties of obstruction, of preventing passage of the bill. It played political games with an issue of major importance to the people of Ottawa-Carleton, yet all we requested was a full examination of the proposed legislation, a proper debate in the right forum to ensure that this reform is the one best suited to the needs of the people and the communities of Ottawa-Carleton.

We are not interested in a reform that meets the requirements of a select group of individuals, namely, those who have caught the minister's attention. Regional reform belongs to everyone, not to special interests, not to a few politicians who want to decide what is best for everyone. The people must have a say.

Bill 77 was amended, then reintroduced on March 22 of this year, eight months later, but with a difference. There was a new urgency: It was imperative that Bill 143 become law in time for the upcoming municipal elections. Yet this government knew all along about the elections, it knew it was working against a deadline. Now the delay in dealing with regional reform is creating difficulties for the region's clerks, for candidates. Is this a surprise? This

was foreseen months ago. It just wasn't a priority then for the government.

In the rush to pass this legislation, the government has completely ignored the wishes of Ottawa-Carleton's population. It scheduled a few days of hearings, listened to some 30 to 35 speakers, the overwhelming majority of whom were opposed to Bill 143. Because of time allocation, there was no time to discuss the amendments my party proposed. All this is blatantly undemocratic.

The Minister of Municipal Affairs' chief of staff states in a letter: "Since Bill 77 was introduced on July 22, 1993, the minister has received over 1,000 letters in response to the bill. Most of these letters were opposed to the proposals contained in the bill." Clearly, this government has failed to demonstrate to the House that the people of Ottawa-Carleton are supportive of this bill. Quite the contrary: The residents in the region have continually raised strong concerns regarding the cost of this reform, cost in human as well as monetary terms.

I've mentioned the following before, but it bears repeating. People are greatly attached to their communities in a very positive sense. They feel and need to feel a part of the community, a member of the human family, so to speak. This link exists mainly at the community level where one enters into close, familiar and regular relations with people. The people of Ottawa-Carleton wish to retain the familiarity, the comfort and the security which accompany local government. They have no desire to see some large, distant political entity govern their affairs.

The second concern raised is that of monetary cost. The government has yet to reveal the real cost of this reform. If the city of Ottawa's actions are a sign of things to come, we are looking at a very expensive reform. Last week, and it's worth repeating again, the city of Ottawa approved a resolution conferring full-time status to its councillors, with increased wages. What other hidden costs will spring out as this reform unfolds?

Bill 143 is leading the region of Ottawa-Carleton into one-tier government, whether the people of the region like it or not, because this government and the member for Ottawa Centre have decided that it is right, regardless of how people feel about it.

I would ask the minister to be frank and to explain to this House and to the people of Ottawa-Carleton what is going on. Who is really behind the push for this reform? Who is pulling the strings? Why won't this government listen to what people want and base its decisions on proper criteria instead of continuously imposing its views and its policies?

Mr Speaker, I don't have to tell you that I will vote against this bill.

**Mr Norman W. Sterling (Carleton):** It's with some sadness that we come to a forced close on a debate of Bill 143. It's a disappointment, because the government tried, I think through nefarious means, to get the opposition to collapse and debate this bill, wash it up, in one hour of legislative time in this Legislature. I have never understood why the government felt so crass about a major, important piece of legislation for Ottawa-Carleton.

I say they have not represented the people of Ottawa-Carleton well in terms of the process they have allowed for this bill.

They have also not consulted with the people of Ottawa-Carleton on this bill in a forthright and meaningful manner. We have had a number of commissions that have studied the matter, have gone out into the community, have consulted with the people, but Bill 143 does not reflect the results of those commissions. It does not follow Bartlett, it does not follow the Kirby commission, in terms of the implementation of this bill.

I've worked with a number of the mayors in my area for some period of time. I've been fortunate enough and privileged enough to represent the people of Carleton for some 17 years in this Ontario Legislature, and I have grown to know a number of the municipal politicians over that period of time. I have nothing but the utmost respect for each and every one of them.

1550

I was touched to read the submission of Albert Bouwers, the present mayor of the township of Osgoode, who represented the various mayors in Ottawa-Carleton, at least all of the mayors save and except for the mayor of the city of Ottawa.

Albert Bouwers has served his people in Osgoode township for even a longer span than I have in this Legislature, and I feel that Albert Bouwers representing the mayors was an appropriate representation because he could speak from an unbiased position, as he does not intend to seek either a regional seat or a mayoralty seat. So I had hoped that when the government read his particular submission, they would have at least lent a little bit of weight to it.

We have also been fortunate in this debate through the consultation process, which the government unfortunately did not listen to, to have had people like Anton Wytenburg, the former mayor of Goulbourn, set up a task force in Goulbourn to consider the Kirby report, to go through recommendation by recommendation with the people of the township of Goulbourn and ask them what they thought.

The former mayor, Mr Wytenburg, after considerable work, put down the recommendations in a report and submitted it to the township of Goulbourn at no cost to the township of Goulbourn, as a volunteer, as an outstanding citizen of his township and of Ottawa-Carleton.

Unfortunately, the work of individuals like Mr Wytenburg went for naught. It went for naught because this government failed to follow the advice of the people it commissioned to look into the problem. I guess that's what angers people mostly in Ottawa-Carleton.

It was summed up by Mr Phil Downey in the Ottawa hearings when he said, "The people I talked to perceived that we are getting a made-in-Toronto solution to the Ottawa-Carleton problem." That's what we have here, the arrogance of the NDP government sitting in Toronto, giving a Toronto solution to an Ottawa-Carleton problem, because the people in Ottawa-Carleton spoke out and they spoke clearly as to what they wanted in the restructuring of the regional municipality of Ottawa-Carleton.

Unfortunately, the callousness, the arrogance of this government came forth in Bill 77 and in Bill 143, and that callousness and that arrogance were exhibited time and again in the process that we were dragged through in this Legislature and in the committee hearings, which were ever so brief, in Ottawa-Carleton.

Thirty people and groups had the opportunity to make presentations in Ottawa-Carleton, a day and a half of hearings, hardly adequate time and on very, very short notice. We had a lot of support, four to one against.

If you look through each of the briefs, as I have, and read them in Hansard, four to one against, and the people in Ottawa-Carleton, quite frankly, the ones who were for, such as Mr Brian Bourns, as evidenced in committee hearings and Hansard, were in fact asked by the minister from Ottawa Centre to appear on behalf of the government to buttress up its case.

Alex Munter came and spoke in favour. He ran against me in the last election for the New Democratic Party. We had partisans on behalf of the government side cajoled by the NDP government to come and sing the party line.

We had the real people, the people who were not representing political interests, people like Frank Spinks, who represented a group in the Ottawa-Carleton area that are concerned about taxes, come in front of the committee and express his concern that no economic analysis had been done on this legislation. We had people like Phil Downey, a successful businessman, come and express his concern that this was a Toronto-made solution to an Ottawa problem.

We had people like Wilf Pillsworth and John Gruber, ordinary citizens who put a significant amount of effort into looking into the issues of policing in the city of Kanata, because the city of Kanata is really going to take it in the ear with regard to taxes as a result of this bill. Their police bill is going to double from about \$3.1 million to about \$6 million in taxes because of Bill 143, and that's a fact.

The chamber of commerce was represented by Allan Whitten, John Rick and John Reiter, who all appeared there on their own time to express their concerns about Bill 143 and the fact that there's no economic basis for the restructuring of the Ottawa-Carleton area as outlined in Bill 143.

I had the opportunity, fortunately, to talk to other representatives from other parts of this world about restructuring government. It's odd that if we talk to people in other parts of North America and in fact in Europe about the structure of government, we find they are travelling in exactly the opposite direction of this government.

What is happening in the new restructuring of eastern Germany for instance, in Berlin, where I had the opportunity to speak to some parliamentarians from that area, both at the municipal level and at the state level? What they're trying to do is download responsibility; not fiscal responsibility, but responsibility to make decisions on behalf of the people. They want to strip themselves of power and put it down. They're not talking about taking power from down below and lifting it up, as we are here



in the restructuring put forward by this government.

This government has not learned that the people out there trust their local governments more than they trust their regional governments and more than they trust their provincial governments. Therefore the people out there would prefer their local politicians to make some of the decisions for them.

Merle Nicholds, the mayor of the city of Kanata, along with many of her colleagues, put forward a valiant fight against this particular bill. She sees the very detrimental effects of this legislation, how much it is stripping the city of Kanata of the ability to grow as a prosperous, high-tech area in the province of Ontario.

One of my former opponents in a previous provincial election, Roly Armitage, calls himself the *bürgermeister* of West Carleton. He's a veterinarian. Thank the Lord Roly Armitage ran against me in 1987, because if he would run against me in 1995, I think he'd probably whip me now. If Roly Armitage could represent the people of Carleton as well as he does West Carleton, I think I'd be in real trouble.

What you're doing with Roly Armitage is saying to him, "You know all of the problems, Mayor Armitage, but you're not going to have the opportunity as mayor to go to regional council and tell them what in fact is happening in West Carleton township."

West Carleton township is either the first- or second-largest township in all of Ontario. It is the largest township in all of Ontario that is densely populated or fairly highly populated. There are about 14,000 people in that particular municipality. It is very large in geographical area. It is the combination of three former townships undertaken in an amalgamation in 1974.

I have a great deal of respect for Dr Armitage. Dr Armitage understands the people of West Carleton, and I think it's doing a disservice not to allow him to sit on regional council.

Jim Stewart from the township of Rideau, in addition to being the mayor, operates a retail store in downtown Manotick. Jim, not only in terms of being a mayor but in terms of being a small businessman in Rideau township, knows what's going on, because people not only drop in at city hall, they drop into his store from time to time and say, "Jim, we're having a problem with this or we're having a problem with that." When Jim goes to regional council, he knows what he's talking about when he's talking about problems for Rideau township.

Paul Bradley similarly runs a grocery store as well as being the mayor of the township of Goulbourn, a young man of about 45 who I think shows tremendous, tremendous political ability.

1600

I've got to tell you that these part-time mayors—if you want to call them that, because they spend tremendous amounts of time in terms of their civic duty—have their finger on the pulse of their community more than any regional representative is ever going to have with regard to township affairs.

I think it's a travesty of justice that we're taking these talented men and women off regional council. They're in

close contact with people; they are trusted by their people; they have proven themselves in terms of service in the past; they have made wise decisions in the past. Many of these people are going to be discouraged from running for regional council because they want to be the mayor of their area.

The system in the past—I can guarantee you this—has worked better than what is proposed under Bill 143. We cannot support this bill.

**The Acting Speaker (Mr Noble Villeneuve):** This completes the time allotted for the Progressive Conservative Party. Further debate?

**Mr Hans Daigeler (Nepean):** First of all, I'd like to welcome back the member for Carleton. I just want to tell him that I missed him, and I guess we missed him, defending the interests of his riding over the last two weeks while we had the public hearings and during clause-by-clause. But it's good to see him here at least to vote, hopefully, against this bill and joining with myself and other members from the Ottawa-Carleton area who are very much against this.

I realize that we do have people who are in favour of this project and, frankly, those who are in favour I think are doing it for a good reason. What is that reason? Because it's going to benefit them and it's going to exclusively benefit them. That's the issue and that's the objection I have, because unfortunately my riding and my city, which has over 110,000 people, is losing on the whole front.

I can tell the minister, who has finally arrived, that we don't like it and we'll remember that. Mind you, the NDP I think has no chance in my riding, and perhaps that's the reason why he's pushing this bill through without any kind of consideration for the people of the other municipalities in Ottawa-Carleton.

I understand, and the mayor of Ottawa has said that very clearly and the chairman of the Ottawa board of trade has said that very clearly: Some members of my own caucus are in favour because this bill does benefit Ottawa, no question and no bones about it. So why would they not fight for it?

But I think the government and the provincial government and the Minister of Municipal Affairs have a responsibility: It is a moral obligation to represent the interests of all the people of the province and of all the people of Ottawa-Carleton, not just of the city of Ottawa and not just of the member for Ottawa Centre.

That's why I'm so opposed to this bill. There would have been an opportunity to bring forward reforms that would have been accepted. Not everybody probably would have been in favour—I'm under no illusions—but I think there was the potential to get together and work things out through cooperation and not through coercion, as we have done, as the Liberal government has done before.

We had a bill on the order paper that was going to be acceptable pretty well to all of the mayors and to all of the councils in the whole region, and only this minister, not even the previous NDP Minister of Municipal Affairs, was that draconian.

This current Minister of Municipal Affairs has really pitted one city against the other in the Ottawa-Carleton area and has pitted the people of Ottawa-Carleton against each other, and that's what I object to and that's why I'm very, very upset about this, because this is going to have and leave very bad feelings for a long time in the Ottawa-Carleton area, and it was not necessary.

Finally the minister is here. He did not come to the hearings, he did not come to the clause-by-clause, but at least he's here at this point. He never came to Nepean, he never went to Gloucester, he never went to Kanata, and still his parliamentary assistant, and I think the member for Ottawa Centre earlier on, said, "The population of Ottawa-Carleton at large is in favour." How can he say that? What basis do you have to claim that the population of Ottawa-Carleton at large is in favour of your reforms? None.

I have done a survey. I've done several surveys. I did one last year, and the people of Nepean said to me, "Yes, we are prepared to look at regional reform, but only if it saves us money, and certainly not if it costs us money."

Again I did a survey in my most recent householder that was just distributed about three weeks ago, and I asked the people—I tried to be as neutral in my question as possible, because you know how you can frame the question—"Do you want the mayor to sit on regional council or not?" I tell you, 70% of the people who sent in their little reply sheet, and they're still coming in, said they're against dropping the mayors from regional council. I can tell you, people on the government side, I directed the hearings and I directed the people who spoke on behalf of Nepean. I can tell you, I would have perhaps liked to; I certainly did it.

The feeling that is out in Nepean, certainly in my municipality and in other parts of the region, is that they are very satisfied with their local government, they are basically satisfied with the regional government. They want some fine-tuning, but fine-tuning in a way that is going to give them more service at less cost. What are we going to get with this bill that we have in front of us? We are going to get more cost for less service, and that's the problem.

The minister's shaking his head. Well, Minister, last week, before this bill is even passed, we already had the first concrete evidence that it's going to cost us more. What did the municipality that has been pushing for this reform do? What was its first decision regarding regional government? They made their local politicians full-time. They increased their staff budget by \$20,000. Is that cost-saving, I ask the minister?

In Nepean, we've had only seven politicians, who have been part-time—part-time—and they've done a very good job, because the fiscal record of the city of Nepean is the envy of the region and I would say the envy of the province.

Why is it, I ask the minister, that the city of Ottawa is in favour? It has the worst fiscal record, the worst management record in the region of Ottawa-Carleton, and they are the ones who are pushing for amalgamation. Well, it doesn't make sense. It doesn't make sense to our municipality and it doesn't make sense to Gloucester and

it doesn't make sense to Kanata, and that's what the representatives of these regions have said.

What we have seen, unfortunately, is politics of confrontation, and I think that's frankly the typical NDP approach. You pit one group against the other and then you benefit from it. But what I can't see is where the benefit for this government is going to be. I can see the benefit for the city of Ottawa, and I guess I have to congratulate it on succeeding to get the NDP government on its side.

But I say to the people of Nepean and Kanata and Gloucester and the rural municipalities that unfortunately we're on the losing side. But certainly we will make sure to hold this government accountable and to hold certainly the politicians of the city of Ottawa accountable, because we're afraid that they're going to burden us with increased costs.

**The Acting Speaker:** This completes the time allotted for third reading of Bill 143.

Mr Philip, Minister of Municipal Affairs and member for Etobicoke-Rexdale, has moved third reading of Bill 143. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

*The division bells rang from 1611 to 1616.*

**The Acting Speaker:** Could all members please take their seats.

We are dealing with Mr Philip's motion for third reading of Bill 143.

All those in favour, please rise one at a time and be recognized by the Clerk.

**Ayes**

Abel, Akande, Allen, Boyd, Buchanan, Carter, Charlton, Chiarelli, Christopherson, Churley, Cooke, Cooper, Coppen, Duignan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kormos, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, McGuinty, Mills, Morrow, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Poole, Pouliot, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood.

**The Acting Speaker:** All those opposed to Mr Philip's motion, please rise one at a time and be identified by the Clerk.

**Nays**

Arnott, Beer, Bradley, Brown, Caplan, Carr, Conway, Cousins, Crozier, Cunningham, Curling, Daigeler, Eddy, Fawcett, Grandmaitre, Henderson, Hodgson, Johnson (Don Mills), Jordan, Mahoney, McLean, Morin, Murdoch (Grey-Owen Sound), O'Neil (Quinte), O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poirier, Ramsay, Runciman, Sterling, Stockwell, Sullivan, Tilson, Turnbull, Wilson (Simcoe West).



**The Acting Speaker:** The ayes are 67; the nays are 35. I declare the motion carried.

I resolve that the bill do now pass and be entitled as in the motion.

RETAIL SALES TAX AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI  
SUR LA TAXE DE VENTE AU DÉTAIL

Resuming the adjourned debate on the motion for second reading of Bill 138, An Act to amend the Retail Sales Tax Act / Projet de loi 138, Loi modifiant la Loi sur la taxe de vente au détail.

**Mr James J. Bradley (St Catharines):** I'm glad to see there's a large number of people here to listen to the remainder of this speech this afternoon, after that vote.

**Mr Steven W. Mahoney (Mississauga West):** Why are they all leaving?

**Mr Bradley:** I've heard it said that when some members get up to speak the House fills up; sometimes it does the opposite.

I was pointing out in mid-speech the difficulty of making tax changes at a time when we're in a very competitive period in relation to other jurisdictions—

**The Acting Speaker (Mr Noble Villeneuve):** Order, please. The member for St Catharines is attempting to participate in the debate and there is a great deal of noise in the House.

**Mr Bradley:** This happens from time to time, I know, at the conclusion of a vote. The member for Sudbury is listening attentively.

I was mentioning in the latter part of my speech that—

**Mr Chris Stockwell (Etobicoke West):** On a point of order, Mr Speaker: Honestly, it's very difficult to hear the member for St Catharines. If you could bring order it would be helpful.

**The Acting Speaker:** I have much the same difficulty. I'm attempting to get the honourable members' attention that indeed it is very difficult to hear the member for St Catharines, who has the floor very legitimately.

**Mr Bradley:** Thank you, Mr Speaker. I know there are times when governments must gain some revenues to carry out their programs. For instance, years ago, I'm sure, when the Progressive Conservative government brought in the sales tax in Ontario, it was to gain revenues for the programs it was going to be involved in. When it brought in OHIP premiums many years ago, likewise I'm sure the Progressive Conservative government of the day raised those taxes simply because it needed the funds to meet its financial obligations. Even though, at that period of time, we were running deficits, as I well recall, deficit after deficit in those years of Progressive Conservative rule, they still needed the funds.

In those days, it wasn't a case of chasing potential investment out of the province; the province seemed to be able to sustain those kinds of increases. What we've got today, for whatever reason one wants to put forward, and there are a variety of reasons, is an extremely competitive regime; that is, there are other jurisdictions now which are trying to lure business and other investment out of the

province of Ontario and into other jurisdictions, some of them other provinces, some of them other countries.

If we are to add to that tax burden, as this bill suggests, we make ourselves less competitive. If times were booming today, if there wasn't that much competition for Ontario in terms of gathering investment and retaining investment, people would still complain about a tax increase but the damage that could be done to the province potentially would be much less. It makes it difficult for this government because it's governing in times in which it is extremely difficult to govern in terms of the economic situation.

That's why it really means the government has to examine carefully all of its expenditures and decide what the priorities are. For instance, and this is borne out by surveys which governments have released, people want to see a good health care system and are prepared to pay to have a good health care system for all the citizens of this province. We are seeing an increasing number of people who would like to see our police forces and our court system with the necessary resources to fight crime, which is of great concern to many people, the deputy leader of the Liberal Party today suggesting that, for instance, in many communities he's visited recently that seems to be second only to the concern about jobs.

If the government were to apply these funds to matters that are of great concern to the general population and reduce or eliminate expenditures in non-essential areas, you would find there would be a better situation existing for attracting the kind of investment we want to see in Ontario. This, combined with a number of other taxes, adds a substantial burden.

I'm sure nobody on the other side—the Treasurer most assuredly is one of those people—wants to raise taxes, because it's very politically unpopular to do so. That is why I think we see governments moving to what they call "painless taxes." I have a very strong personal point of view on this, not one that is necessarily shared by all members of the opposition or all members of the government, that the government moves in the wrong direction when it simply tries to get more and more of its funding from gambling proceeds.

I wish—and I think this will happen in four or five years—there was a groundswell of support for assessing very carefully the impact on our society of the various new kinds of gambling before governments proceeded. It's so attractive—because no one wants to pay new taxes that aren't so-called voluntary—for governments to move into new areas of deriving funds from gambling. Yet we keep seeing reports coming in that these funds, that this regime of "Let's get into new and different ways of gambling"—and it's not this government alone, by any means; virtually every jurisdiction today is attracted to new ways of gambling to get its funds.

I express again my concern that this province—because I sit in this Legislature, but I would certainly apply that to other provinces, any federal jurisdictions, the states next to us. They're all moving far too rapidly into new gambling ventures before looking at the impact on very vulnerable people. Those are often people who are in desperate circumstances because of the fact that they

don't have a lot of money, and this represents a chance to grasp at that chance and to perhaps become a millionaire or at least win a good deal of money through slot machines or these video terminals or lottery proceeds or something of that nature.

I'm told that now they're even installing bank machines in bingo halls so that if you didn't bring enough money to spend on gambling there's a bank machine there that you can get more money from.

For instance, people who enthusiastically went after offtrack betting for their establishments are taking a step back now and saying perhaps that isn't the route to go. I have an example in my own community of a tavern which enthusiastically went after and was successful in receiving the offtrack betting franchise, I guess I'll call it, and now I see in my local newspaper, the St Catharines Standard, that the same company has decided to give that up because their experience was not one which was ultimately beneficial to that business.

But what I'm just as concerned about is that there are very vulnerable people out there, gambling addicts, people who are desperate, don't have much money, and they are really the people we are taxing when we apply new gambling ventures to this province.

I hope the government will reconsider this particular legislation, withdraw the tax and try to ensure that Ontario is a competitive place for investment.

1630

**The Acting Speaker:** Questions or comments?

**Mr Allan K. McLean (Simcoe East):** I'd like to comment briefly on the remarks of the previous speaker with regard to Bill 138. It's interesting to note that the taxes had not even been put on yet for the beer and wine and here they are wanting to pass this bill to implement these taxes at 26 cents, but they've already reduced that to 13 cents.

What this bill does is add 5% on every person who's paid insurance in this province since last July, I believe, without any legislation being in place. This bill was brought in on May 10. Here we are, almost to May of the next year, and we're still dealing with last year's budgetary policies. I find it hard to believe that we're dealing with repealing the tire tax of \$5 as part of this bill and that's already been off since last July 1. But for all those people who had to pay that extra 5% on their insurance, the legislation hasn't even been passed to do that yet. Also, there's the fact that parts and labour are all part of this bill, and the member who just spoke mentioned some of these things in his remarks.

When you look at the budgetary policies of this government and what it's doing to the people in Ontario, with regard to this bill and motor vehicles, many people had problems. They wanted to give a gift to one member of a family, and now they have to go through a whole process of buying a kit to make sure the process is in place. The onus being put on these individuals—a mother who wants to give a car to one of her children now ends up paying a whole pile of money; plus, the Red Book inflates what the price was really intended to be.

The member speaks about some of the problems with

the budgetary policies of this government that we can certainly see.

**Mr Kimble Sutherland (Oxford):** I appreciate the opportunity to respond to the member for St Catharines. One always wonders whether his comments today are different from when he originally started his speech, and what frame of mind he may be in, since I know his beloved Buffalo Sabres weren't successful last night. That may impact his mood and reaction.

The member for St Catharines said the taxes should be revoked. He did not provide any alternatives about what should be put in place. I want to remind the member that these taxes were part of our strategy to deal with the burgeoning deficit, to ensure it didn't get up to the close to \$17-billion mark. We did the tax portion of that, we did the social contract, we did the expenditure control plan. Of course, now that the fiscal year is over, we can see that strategy was very successful in terms of getting a handle on the deficit issues, protecting jobs, and ensuring that we're going to be in a stronger position as the economic recovery is going to continue in 1994 and 1995.

I do wonder, though, what the member for St Catharines would put forward as an alternative if you take that tax off. Speaker, as you remember, their leader said we didn't cut enough; they wanted us to cut a couple more billion. They didn't say how. They didn't like the social contract, they didn't like what we did in the expenditure control plan, but we should cut more. It makes us wonder whether there are new ideas out there from the Liberal Party.

I have a great deal of respect for the member for St Catharines. He usually does have a lot of good ideas and creative ideas, but in this speech I didn't hear a lot of them. It sounded more like a lament, to me, from some of the past good old days of how things used to be.

**Mr Mahoney:** I actually wasn't going to comment, but remarks made by the member for Oxford have led me—

**The Acting Speaker:** We are commenting on the member for St Catharines.

**Mr Mahoney:** I know we are. His remarks are commenting on the member for St Catharines, so therefore, in a circuitous way, I will do the same.

For the member to actually suggest that, "We have a handle on the deficit," I think the words were, is really quite remarkable. What the member for St Catharines is talking about is a difference in time. When it might have made some sense several years ago to implement a particular tax for a particular purpose, today what this government fails to understand is that by increasing taxation—as I see the Treasurer leaving the room—increasing the percentage level of taxation, I say directly to the young member for Oxford, has decreased your revenue. Do you understand? Your revenue has actually gone down as the percentage of taxes has actually gone up. Don't shake your head; it's true.

Every year you say you have a handle on the deficit. Well, I'll tell you, you're wrestling the deficit to the ceiling in the province of Ontario.



**Mr Anthony Perruzza (Downsview):** Jerk.

**Mr Mahoney:** What you have managed to do in four years in government is take a total provincial debt of \$39 billion and more than double it. By the time you're finished—and we understand that your Treasurer will be coming in with a record low, for you, deficit of \$8.5 billion next Thursday. Imagine calling an \$8.5-billion deficit a record low deficit for a government, but that's what it is. You have actually increased the debt by increasing the deficit every single year, you've driven taxation through the roof and you've totally destroyed any confidence the consumer or the business community has in this province. If that's getting a handle on the deficit, we're all in big trouble.

**The Acting Speaker:** We can accommodate one final participant.

**Mr Stockwell:** Point of order.

**The Acting Speaker:** On a point of order, or a participant?

**Mr Stockwell:** Point of order, Mr Speaker: The comments made by the member for Downsview are most inappropriate and definitely out of order and I would ask him to withdraw them.

**The Acting Speaker:** I did not hear. Does the member for Downsview feel there were unparliamentary comments?

**Mr Perruzza:** Mr Speaker, I will say in this place and I'll say outside that the member for Mississauga is totally incompetent, and I'll repeat that from here to Anderson, Ontario, all the way up to the lake. I have no problem with that, and if he's got a problem with it, then he can—

**The Acting Speaker:** Order.

**Mr Perruzza:** —take it down to the bank.

**Mr Stockwell:** Well, I'll comment for the two minutes. That's not what he said. As usual from this member—

**The Acting Speaker:** Is this the final participant?

**Mr Stockwell:** —what he says and what he attributes to being said are usually two different things. It's typical coming from this member.

I will comment, Mr Speaker, for two minutes. I wonder why this government does not comment on the GO rolling stock sale. Here's a clear example. They want to talk about taxes and deficits and tax loopholes. Remember when they got into power they were going to close all those tax loopholes and tax the corporate rich, the corporate welfare bums, they called them? What does this government do when it sells the GO rolling train stock? They take a trip to Bermuda, sell it to a Bermuda company, allow them to set up a shell company, transfer the assets to that shell company, all to avoid a federal tax, the 15% withholding tax.

I'm very surprised the member for Oxford didn't talk about that. He used to talk about the tax loopholes and the corporate welfare bums and the two-martini lunches. The first opportunity this government has to take advantage of a loophole with respect to the withholding tax, it flies its officials to Bermuda, closes a deal by selling the

GO rolling stock, the trains, in Bermuda, not in this country, because if it closed it in this country it would have been subject to the tax laws of this country. Is that the ultimate in irony, coming from the socialists, the ultimate ironic statement from a government like this, that talked all those years about the corporate élite and the wealthy and the rich? One chance they have to pay the withholding tax, and they fly to Bermuda, set up shell companies and act like Bill Player and Rosenberg. It's awfully shameful.

I liked the comments made by the member for St Catharines. I'm very astounded that the member for Oxford—who dresses like he's from Oxford now; a very good dresser, I might add—wasn't commenting on that shell game you played with the taxpayers' money, you corporate welfare bum.

**The Acting Speaker:** This completes the time allotted for questions and comments. The honourable member for St Catharines has two minutes in response.

**Mr Bradley:** I would like to first of all comment, because there have been many comments around here, that in fact the members on the government benches have improved their wardrobes considerably over the years. I want to compliment them. I look over there now and there are a lot of new suits, a lot of nice ties and so on, so I don't want to hear any of these stories about the government members—

*Interjections.*

**Mr Bradley:** I'm trying to be nice about it, because I see some new jackets, new ties and so on. This is great to see.

The you-brew tax is an example of where the Treasurer has recognized he's wrong and has made a modification to that tax. It took a lot of statements and a lot of questions from the opposition. The member for Ottawa South, for instance, made representation on many occasions in this House, and the Treasurer understood he was wrong on that. He understood the detrimental effect and he was prepared to withdraw that tax.

1640

**Hon Howard Hampton (Minister of Natural Resources):** What happened to your red tie? If you were loyal, you'd—

**Mr Bradley:** The Attorney General of years gone by says I don't have a red tie on today, obviously commenting on the wardrobe of people over here. I tell you, when you're in opposition, things are tough.

**Hon Mr Hampton:** What happened to red ties?

**The Acting Speaker:** Order, please.

**Mr Bradley:** I want to also say that when a Treasurer is prepared to withdraw a tax, he will find support over here. I think there was a round of applause that came from this side of the House when Mr Laughren announced that he was admitting his mistake and changing the tax on you-brews. That's what we're suggesting, that you do that and let the economy start to move in Ontario and then you will find those revenues coming in naturally from this stimulated economy.

**Mr Stockwell:** On a point of order, Mr Speaker: I

don't believe a quorum is present.

**The Acting Speaker:** I believe we have a request to check if there is a quorum.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** Further debate?

**Mr David Tilson (Dufferin-Peel):** I'd like to say a few words with respect to Bill 138. This is one of several bills dealing with the 1993 budget. It is ironic that we're dealing with these bills about a week before the next budget, which will be on May 5.

This specific bill deals very briefly with a number of things which have been mentioned by other members in this House: the 8% tax on insurance for drug benefits, health benefits, dental benefits—dirt. This is the tax that one of the Toronto media said, "They're even taxing dirt." This is the bill that sets the 5% tax on auto insurance and, of course, brew-your-own.

I must say, when you start looking at the rationale of why we're doing taxes, as to what this province is getting for the money that is being charged to the taxpayer of this province, we have to look at what this bill and other bills like it have done in one year. This bill and other bills have resulted in a total of \$2 billion in new or increased taxes. That is an all-time, record-breaking tax grab for this province. It has resulted in the philosophy of this government resulting in another \$10-billion deficit.

More seriously, it has resulted in a credit rating moving downward, the third in three years. The Provincial Auditor has refused to endorse the province's books. There is a tax revolt that's getting stronger and stronger with respect to this and other bills, resulting in the underground economy which is a very serious problem in this province. There is another forecasted revenue shortfall, an estimated \$1.6 billion in lost revenue. When you look at the overall financial position with respect to this province, it's not good, specifically when you fit this bill in with all the other financial policies that are being put forward by this government.

The government did recognize, and there is an amendment coming along somewhere in this place with respect to you-brew, pursuant to a press release of April 18 when the province reduced the tax on produce-your-own beer and wine. Effective April 18, the tax applied to beer and wine made at produce-your-own outlets would decrease from 26 cents a litre to 13 cents a litre, and tax increases scheduled for June 15 of this year and June 15 of next year with respect to you-brew would not take place.

The difficulty is, of course, that meanwhile this is a new, struggling business, all these businesses, and there's about 100 of them that have simply gone out of business since this budget announcement was made last year. It's a rather expensive way for the government to find out that it made a mistake. I think that one has to look philosophically. This is a prime example of, will the levying of taxes necessarily mean an increase in revenue?

Someone mentioned during the response to one of the

previous speakers the whole issue of the cigarette tax. I think that we're all predicting. The Treasurer has said, "Oh, well, revenue is going to fall as a result of the cutting of the cigarette tax." I will bet that there will be as much revenue, if not more, as a result of less activity in the underground economy. The predictions of what the underground economy is generating in this province are unbelievable, and I think that this government soon, if not with this bill, should start looking at that whole topic and how it's affecting this province.

I will make one further comment with respect to the you-brew industry. Here is an industry that was starting to get its feet off the ground. It was starting last year—

**Mr Jim Wiseman (Durham West):** There are more improvements now than before the tax.

**Mr Tilson:** Well, I'm sorry, but the fact of the matter is that when this tax came into existence, a whole bunch of businesses went out of business, a whole number of jobs were lost.

This government over here is talking about how it's going to improve the jobs in this province and here, with the implementation of one tax, 200 businesses went out of business as a result of this tax. Now the Treasurer comes along and says, "Oops, I made a mistake." He's now going to reduce it, and meanwhile all these people have lost their jobs and businesses. People who have invested in a business have now lost their investment.

I would hope that the Treasurer, the Finance minister, would get his act together before he starts implementing these philosophies and looking at the effect as to where this province is going; for example, the whole issue of the beer industry, which, mind you, with the exception of you-brew, isn't really an issue with respect to this bill, but the whole issue of tax in the brewing industry.

In Ontario 47% of the \$26.40 price for a case of 24, including the deposit, is a government tax. Mind you, the national tax average of 53% makes Canadian beer the most heavily taxed in the world. By comparison, the average US tax on beer is 18%. So you have to look at all of this.

It talks about doing business in Ontario, the cost of buying products, the cost of providing jobs. I can tell you, this whole philosophy that the government has entered into with Jobs Ontario, saying they're going to increase jobs in this province, when people start looking at the tax structure and the heavy burden on the employer, people are taking a second look as far as starting up a business in this province.

The issue of auto insurance: I think that this whole topic of auto insurance has been a very important issue for a number of years. It started off with the debate of changing the tort system to the OMPP, and the NDP, led by Mr Kormos, who became perhaps notorious for his 17-hour filibuster in this place, attacking the Liberal government for its OMPP philosophy on auto insurance.

Then, of course, the New Democratic Party came to power and said a number of things with respect to auto insurance, very little of which they followed. But they did say, "We're going to introduce Bill 164," and that is now law in this province, with the minister responsible for



auto insurance saying there isn't going to be any more increase in the cost of auto insurance in this province.

1650

Have any of us looked at our premium notices since this government has taken office and since Bill 164 has taken effect? You have to start looking at these things, because the minister responsible for auto insurance says one thing and then, all of a sudden, the Finance minister comes along and says, "We're going to have a tax of 5% on auto insurance," at the same time as Bill 164 is being debated in this place.

It is a strange place, when the government is attempting to solve a defective Liberal system by saying premiums are going to be kept down. Premiums haven't been kept down, and one of the reasons that premiums haven't been kept down is Bill 164, of which much has been said in this place; but the other is the 5% tax that is being billed to the people of this province through this Bill 138.

There are higher auto insurance costs as a result of this bill. There are higher auto insurance costs as a result of Bill 164. I can tell you that when you start looking at the 5% tax that's being put on auto insurance premiums now by this bill, you add that to the 3% premium tax, which Mr Laughren, the Finance minister, introduced some time ago, which was a hidden tax built into premiums, so in effect there's an 8% tax. On top of that there was the 4.4% that the consultants for the government who were putting forward Bill 164 had said would take place, and then there are the usual increases that seem to have risen each year because of increased costs of auto insurance.

So there are people who are getting insurance bills, insurance premiums, in their envelopes, addressed to them, to be paid forthwith, of increases of anywhere between 20% and 30%. It's a very strange situation. Why would the government with this bill pick on, of all things, auto insurance to try to bring revenue into its coffers in an area where it has been trying to keep the cost of auto insurance down? It's a very strange thing to do.

Of course, there are other issues. Now we're going to have, will the NDP pay brokers to become tax collectors? Essentially that's what's happening. The brokers will have to collect the tax, more forms to complete, more funny paperwork to fill out by the insurance brokers.

Then there's the issue of the favourite topic of this government and other governments: the GST. We talk about harmonizing the tax between GST and PST. That has been a favourite topic of both federal and provincial governments across this country. There is no GST with respect to your auto insurance, but for some unearthly reason, this government has decided to tax auto insurance. So now we're having more complications, more paperwork, more strange paperwork with respect to the general public. It is becoming more and more difficult to do business in this province, specifically with respect to auto insurance.

There are higher auto insurance costs again after we were promised by Mr Charlton, the minister responsible for auto insurance, that we would have cheaper premiums in exchange for the right to sue with a no-fault scheme.

That was his promise. Of course his Treasurer, his Finance minister, has stabbed him in the back with this 5% tax, but that was his promise. That was the promise on behalf of this government, and I can tell you, it is making people, anybody in this province, very, very angry.

I can speak specifically with respect to the people in my riding, the riding of Dufferin-Peel, which consists of the county of Dufferin and the town of Caledon, areas where most people who work have to travel by automobile. They live out in the country. They work in the south, in Mississauga, Brampton, the Toronto area, or they work in other areas and they have to use their automobiles to get to places of work.

It's become a very mobile society, not only for pleasure driving, but for their cost of living, and this is another cost. It's another cost to those people, with respect, because they need to have the automobile. There are some people in this province, I suppose, people in Metropolitan Toronto, who don't need an automobile.

So one starts looking at the fairness of tax. These people need automobiles. People in my riding are saying: "Well, it's another cost." You know, we've had cost increases with respect to tax and the issue with respect to auto insurance premiums. They just groan and they don't understand it; they simply don't understand it. All they know is that their insurance premiums are going up, and we know by this bill that they're going up by at least 5%, so people don't understand.

I will tell you one other thing. I've always taken the position that this 5% tax is a tax on a tax. In 1992—I think it was 1992—the Finance minister reinstated the 3% premium on auto insurance tax. This was a hidden tax which was built into the auto insurance premium. Now there's going to be a 5% tax on that, on the 3% that's hidden within the premium, so there will be a tax on a tax: the 3% premium which is hidden, and then on the overall cost there will be a 5% tax, so it's a tax on a tax.

The 8% on home insurance and group benefits certainly is giving a great concern to the employers in this province, specifically with respect to benefits, and I will be speaking about that. That's a topic which many people in this province who are trying to provide jobs are concerned about, because we've got into a system of providing benefits to our employees. Many are in their employee contracts, their union contracts. It's part of the system of their salary plus benefits, and here is yet another burden that is going to be put on the backs of the employers to provide health benefits with respect to this province.

I can tell you that there are many employers in this province who are looking at, can we afford it? We've got a difficult recessionary period where income isn't the way it used to be. We have more bureaucracy in this province, more difficulty, more competition to deal with other jurisdictions around us. We've got increased personal tax; we've got all kinds of taxes under this system. It's becoming more and more difficult to keep a job and to provide jobs. So something's got to give. Either people are going to lose their jobs or salaries are going to remain the same or be lowered, or there's going to be a lowering

of benefits, because there's so much money in the pot that the employer has to pay to make a living to keep his or her business going. There's only so much money there, so eventually something's going to have to give.

I debated last week the issue with respect to the health tax and how that's being put on the backs of the employers. So there are more and more taxes that are being put on the backs of the employers, and the employer is finally going to say to the employee or to the union that he or she is negotiating with: "I don't have any more money because of the strange tax system that we've got in this province. There's just no more. It's not going to pay me to operate a business in this province."

That issue of jobs is the main issue that concerns the people of this province, and the government stands up and talks about Jobs Ontario and the various programs they have to stimulate jobs. But the fact of the matter is that there's only so much money available and this type of tax, this 5% tax on benefits, is creating major problems with respect to the employer.

I guess we could start looking at the total tax, the total increase in premiums, before I would close with respect to the issue of premiums in this province for auto insurance. On the very face of it, depending on the increases from company to company, there is at the very minimum a tax increase of 17% on auto insurance premiums in this province. Then, of course, depending on the policies of the particular insurance company, that goes anywhere up to 30%. I have had people in my riding of Dufferin-Peel tell me that they're getting insurance increases of up to 30% and they don't understand it. So when you start looking at the various taxes that have been set—the 3% tax, the 5% tax that's been added to auto insurance, the four-point increase that was put on as a result of Bill 164 and the 5% increase each year with respect to auto insurance, it makes people absolutely dizzy. They have no idea why and they simply don't understand it.

1700

They're becoming very, very cynical with respect to this government and other governments that have come along and said, "We're going to keep insurance rates down." The Liberals said it, because Mr Peterson suddenly discovered that the tort system may not be working. Insurance premiums were going up, so he introduced the OMPP. This particular government, the NDP government, went absolutely bonkers over that and criticized that whole philosophy.

Now of course we've got Bill 164, plus this bill which adds an unbelievable cost to insurance.

Insurance agencies are sending out notices to their policyholders. I have one that was sent to me, just to show what they're doing in my riding of Dufferin-Peel, but I suspect that similar agencies are doing the same, to explain to the public why their premiums are going up. They've talked about this 5% tax through Bill 138; they've talked about the increases of premiums due to the implementation of Bill 164; they've talked about how beginning January 1, 1994, you will no longer be able to sue for economic loss.

I'm quoting some literature that was sent out by one of

the agencies in one of the municipalities in my riding, Orangeville Insurance. They say:

"Beginning January 1, 1994, you will no longer be able to sue for economic loss if you suffer serious bodily injuries in an auto accident. This means that you will not be able to sue for the loss of money you would have earned from being employed. Who will that change affect most? High-income earners, those with net incomes greater than \$1,100 per week; students with a high future income earning potential; persons whose present income does not reflect future earning potential, and others with special need for additional coverage."

Then they say there's a need for other alternatives and they offer, as other insurance companies are offering across this province, additional insurance. So as of January 1, an excess economic loss endorsement has been approved by the companies that this agency represents, and I presume other companies across this province, "This endorsement provides excess coverage over the new basic plan, to the degree that you are not responsible for the accident, in the case of serious injuries from an accident occurring in Ontario."

The ironic part of course is that here we have a tax on auto insurance, we have Bill 164 which is going to cost us more yet it's taking away more rights, and now we have insurance companies saying, "We recommend that you buy more insurance coverage," and of course this government's going to tax that policy. So there'll be a 5% tax on this new coverage that's being offered by insurance companies to cover people whom they used to cover under the OMPP.

Not only that, you start looking at the benefit regulations that are being set forward by Bill 164. The problem with that of course is that the insurance companies have no idea where they're going with this thing, because you're going to be paying for ever. The benefits are going for ever and they have no idea.

The system is doomed to failure, yet you have the gall to levy a 5% tax on auto insurance premiums. As I say, technically it's a triple tax. You've got a tax on the 3%, the hidden premium tax, then you've got the 5% tax on auto insurance premiums and then you've got a tax on the insurance coverage that people are going to have to get because they don't have enough coverage.

It's one of the most bizarre things you've done to auto insurance coverage in this province. It's putting insurance companies in a great deal of risk. They simply don't know what they're going to do, particularly some of the smaller companies. They're worried. Then of course you've got legislation. Bill 164 says, "If you want to get out of it, you can't get out of it." It's a very difficult thing.

I've said enough. I haven't got very much time left with respect to auto insurance other than to say that this is the most damaging perspective in my assessment with respect to the bill.

The other issue is with respect to group benefits. This new tax will certainly raise the cost of insurance to employers. Group tax benefits, health, dental and disability, already represent 5% to 6% of payroll costs. Again



we're looking at the amount of money that employers have to keep their businesses going, and yet Bill 138 says, "We're going to add more on to that."

The expansion of the expense the employers are being put to is being made larger and larger and larger, and they're going to finally say: "Why bother? Why do business in Ontario? Why bother?" That's the fear I have. You may say, "Oh, well, it's only a small tax," but you add this to the employer health tax, you add this to all the other taxes that are being levied against the employer, and it creates a grave concern with respect to employers.

Many employers have been struggling to stay alive during this recessionary period, and you have the gall to add this other expense. There have been certain rapid increases with respect to employee benefit costs as governments, to use the words of Blue Cross president Dunbar Russel, "peel away the onion of health care and transfer costs to the private sector." Now, of course, with this bill, they're facing yet another burden of a tax on the private sector, on the people who are trying to provide jobs in this province. Virtually all the insurance premiums get resented on claims.

I've had people write me with respect to the benefits and the increase their businesses are going to be put to, and they're simply saying they'll be forced to cut back.

Here's a letter from Plastiflex in Orangeville that expressed their concern with respect to the benefit package that they're now going to be obliged—it keeps increasing, increasing, increasing. They say: "This will cause us to review our policy again to determine areas of savings. Unfortunately, this most likely means we will be forced to downgrade the coverage carried, thus reducing coverage to our employee base."

This is just one example of letters I received in my riding, and I suspect similar businesses all across this province are saying the same thing. My fear is that this in turn is affecting people this government is trying to help: the workers of this province. Yet here is an employer putting us on notice that they simply don't have the money to pay what you want them to pay, all for your funny financial policies.

**Mr David Turnbull (York Mills):** On a point of order, Mr Speaker: I don't believe we have a quorum present.

**The Deputy Speaker (Mr Gilles E. Morin):** Would you please verify if we have a quorum in the House.

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

1710

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Deputy Speaker:** The member for Dufferin-Peel.

**Mr Tilson:** There's an excellent article I saved from the Globe and Mail of May of last year which talks about the cost to employers. There's an article by Margo Gibb-Clark on May 21 of last year. It talked about one of the things I don't think this government has considered, that companies with fleets of trucks or cars, or companies that

simply depend on transportation and the auto insurance they have to pay, will be especially hard hit. As well, there is the 8% on insurance premiums for employee benefits, so they're getting doubly hit.

The article goes on to say, "Health and dental benefits and disability insurance can easily cost an employer 5.75% or more of gross payroll." These are comments by a consultant at William M. Mercer Ltd. "Most employers pay the full shot." They do. Most employers across this province pay the full shot, and so it's they who are getting stuck with this thing.

"Depending on how generous the benefits are, this could add \$100 to \$150 a year even for an employee who earned...\$25,000. For a staffer earning a \$40,000 salary, costs could go up \$160 to \$240,"—that's per employee—"and for a \$70,000 employee the figure could be as high as \$420" per employee. It's a lot to expect the employers of this province to carry the burden for the financial wizardry this Finance minister is trying to put forward.

General Motors of Canada, in the same article, talked about "extra costs of several million dollars a year for its 40,000 employees.... GM also offers some health benefits to between 25,000 and 30,000 retired workers, which would add further to its expenses."

I don't think the government's thought this out. I don't think they've thought out, as they have not with many taxes, the effect this is going to have on the very issue they're trying to solve. The government members stand up—and I believe their sincerity. They know there's an employment problem in this province and the members on the government side continually stand up and talk about how they're trying to save jobs. Yet they sit by and watch these bills, such as Bill 138, be passed in this place, attacking the very people who are paying the employees, who are creating the jobs in this province. So what they're doing is completely contradictory.

I've got roughly a minute left. I received a letter from a widowed pensioner who's on a fixed income. This is a letter from a lady in Shelburne and she is very concerned about the tax on the insurance premiums, specifically with respect to health plan participants who pay 100% of their premiums. This is a widow.

"The Ontario government's budget is totally unacceptable for seniors in my position. I am a spouse of a superintendent teacher who has been on a D pension for 20 years. Are you prepared to do anything about this matter?"

That's the question that's being asked by constituent after constituent in my riding of Dufferin-Peel, and I'm certain it's being asked by constituents to members on the government side and members in the opposition, the fact that we're standing by watching people sink lower and lower in terms of the standard of living.

I'm totally opposed to Bill 138, as are members of the Progressive Conservative caucus. Any increase of taxes at this time, in a recessionary time, is certainly untenable, and I would strongly recommend that the government change its mind and vote down this bill.

**The Deputy Speaker:** Questions or comments?

**Mr Wiseman:** I sat here this afternoon listening to a

Tory talking about how concerned they are about business and the business climate in the province. I had to hold my breath, because I could not believe what they were saying.

The myth out there is that the Tories are friendly to business. Let's take a look at some of the facts about what the Tory government in Ottawa was able to give us over its tenure as an example of what Tories do when they get power.

In 1991, this business-friendly party increased unemployment insurance rates by 7% at the time when the provincial government of Ontario was putting about \$700 million into the anti-recession package to put people back to work. In fact, what this Tory party did was suck all the money out of Ontario that the Ontario government was putting into job creation. They sucked it out with this increase in the unemployment insurance.

Let's take another look at this Tory business-friendly party that increased the interest rates in 1987 to about 15%, jacked the dollar up from 72.5 cents to 89 cents, practically destroyed the export market for our businesses in this province. Not in my wildest socialist nightmare would I have thought that I would have done that, but the Tories did that; the Tory business-friendly party did that.

They changed the Bank Act, Bill C-19. They changed the Bank Act, which now allows the banks to pull lines of credit, to do in small businesses on a regular basis and give no support to them whatsoever. If this is an example of Tory support for small business, I think the businesses out there better stick with the socialists because we're a lot more sympathetic to them than that party is and than that party has shown over the years.

**Mr Murray J. Elston (Bruce):** Thank you for allowing me to have a few comments. I was interested most particularly in the member's speech on taxes on auto insurance premiums, because what that really speaks to is the nerve that this government has in making sure that it gets the very essential elements for people's everyday living.

In my part of the province, in all parts of this province, we must have transportation, and most people have cars or trucks or some type of motor vehicle. If you expect to drive it legally on the streets and roads of this province, you have to have insurance. When you have to buy insurance, the price that you have to pay is the price you have to pay plus 8% for the federal government. There is no discretion. You must pay the price.

Mr Laughren, the Minister of Finance, and the rest of the people have locked in on this as one of those areas that is fail-safe with respect to raising money from those people who must drive vehicles: farmers, seniors, young people, middle-aged people, employed people, unemployed people. Anybody who gets around in this province by use of a private motor vehicle has to pay the price.

That, to me, is a sign that this government has gone the wrong way, in forcing people to increase the cost of doing business: Force the people to increase the cost of being able to go from their homes to the grocery stores, force the people to pay the government a toll every time they step in their automobile. If there is anything more

cynical than that, I don't know what it is.

When we were there, we removed that premium tax and some people yelled and screamed that it was the wrong thing to do. I'll tell you, it was the right thing because it reduced the cost of auto insurance. Now these people have put it back on.

**Mr Stockwell:** I'd like to pick up on the theme with respect to the insurance. We know full well the backtracking this government did with respect to publicly run auto insurance and the fallout from that. There have been a succession of decisions made by this government that were particularly offensive I think to the rank-and-file New Democrats.

Probably it has a lot to do and has related very directly to the fact they get 6% and 7% in by-elections. Not so much that they've alienated the groups that really weren't supporters of theirs, but the bedrock community that used to support them, the socialists who used to support them, have been directly affected or directly offended by some of the kinds of decisions that have come forward.

Auto insurance is one, gambling is another. These kinds of things really upset the public, or specifically the socialists' bedrock support. That's why, when you go to Don Mills or Victoria-Haliburton or any of these ridings where we have by-elections, you're getting like 6% of the vote.

Having said that, I want to comment on the insurance issue. I am glad they didn't go for government-run auto insurance. If they did, can you imagine the unemployment rates we'd be looking at today if all those people in the auto insurance industry were put out of work? It would have been terrible. It was a bad decision. It was a bad idea.

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** That's why we decided—

**Mr Stockwell:** Oh, I applaud you for not doing it. I never believed in it, I wouldn't have campaigned on it and I'm glad you saw the light once you were in government. Much of what Mr Wiseman had to say always can be attributed back to what he was mouthing off about when he campaigned and is directly different to what he has done in government.

1720

But I will say this: If a government is going to force the population to buy a product, it doesn't have any right to tax it at that point, and I say directly to this government, I find very offensive your 5% PST on insurance. If you're going to make people buy insurance to drive legally in this province, you should have no right to tax them on top of the regulation you make them buy in auto insurance. When I speak to people, that is a number one complaint: "You tell me I have to buy insurance, and then you tax me on top of the mandatory purchase of the insurance." That, to me, is unacceptable and really bad.

**Mr Peter Kormos (Welland-Thorold):** It's unfortunate that the issue here is being diverted from the real problem, which is the problem of the excessive cost of premiums. It's unfortunate to have to tax any commodity, including auto insurance.



Am I enthusiastic about imposing a sales tax on auto insurance? Of course not. But the fact remains, notwithstanding what Mr Stockwell would tell you, the problem is that this government didn't implement public auto insurance. The problem is that this government caved in to interests which were entirely alien to what New Democrats and their supporters had believed in for so long until the 1990 election and, I tell you, what New Democrats and their supporters continue to believe in. That is that the real solution to the issue of high premiums and exorbitant costs for drivers is, yes, a public automobile insurance system.

Indeed, daily I receive inquiries and expressions of grievance from people across the province who are confronted with the problem not only of ever-climbing premiums, but of motorcycle operators, for instance, who are simply being closed right out of the market; a regulatory system which is no more capable of keeping the insurance industry in check than it was under the Liberals or before them under the Tories; and a so-called no-fault system which continues to punish innocent victims day after day after day.

The fact is that Bill 164 is a failure, just as 68 was. The fact is that no-fault auto insurance is a great success for the insurance industry, and it's an attack on premium payers and on innocent victims. Tired old song: So be it. The fact is that the evidence is there. The problem isn't the tax; the problem is the absence of a public automobile insurance system.

**The Deputy Speaker:** The member for Dufferin-Peel, you have two minutes.

**Mr Tilson:** I thank the members for responding to the comments I have. All I can say, particularly to the member for Durham West, is that I represent the riding of Dufferin-Peel in the provincial Legislature. I have no say as to what a Tory federal government's doing or what a Liberal federal government's doing.

I can tell you that all I know is that business in the province of Ontario is getting more and more difficult to undertake. There's a myriad of taxes that have been created by this government and by the previous Liberal government, taxes that people don't understand for policies they simply don't want.

Since 1985 the Liberals and the NDP have levied 65 new or increased taxes in this province, and this Bill 138 is one of them. Ontarians have absorbed \$7.6 billion in new or increased taxes since 1985. That's a lot of taxes. From 1985 to 1993, personal income per capita in Ontario has increased by 53.5%, but the per capita provincial tax burden has been increased by 73.3%.

You people have the nerve to say that you're creating jobs in this province. What you're doing is, you're burying the employer. You're burying the employer by strange taxes that you've created, and Bill 138 is one of them.

In 1985, provincial tax revenues equalled 8.8% of the Ontario gross domestic product but will amount to 11.2% of our GDP this coming year. The average Ontario family paid \$663 more in additional taxes in 1993 than when the NDP took office. So again, defeat this bill.

**The Deputy Speaker:** Any further debate? No? If not, the member for Oxford.

**Mr Sutherland:** I just want to conclude the debate on this bill by saying a few things. Many of the Liberal members talked about decreasing taxes and their concerns about it. They fail to remember the fact that it was the Liberal government that increased the provincial sales tax from 7% to 8% in some of the best economic times. It was they who imposed the commercial concentration tax. It was they who imposed the tire tax. Mind you, let me say the concentration tax and the tire tax are being removed by this government.

Let me say too that with respect to when we get into committee there will be some amendments proposed, one of them related to you-brews.

I just want to comment too about what the Tory members have said about this government driving business out of the province. I look around at my fellow members sitting here, and I see where the economic activity is taking place. I see the member for Chatham-Kent, and Commercial Alcohols Inc is going to invest over \$100 million for an ethanol plant. I see the member for Middlesex, and I see what Dimona Aircraft is investing in there. I know there's another plant coming to Strathroy that's going to create new jobs. I think of the \$4-billion worth of investment by the auto sector in this province while this government has been in power.

It's very clear: Jobs are coming here. There are many people who do want to invest in the province of Ontario because they know we have a good workforce, because they know it is a good place to invest, they're going to get a good return, they're going to be producing good products for the worldwide market.

**Mr Elston:** On a point of order, Mr Speaker: It's unusual for me to interrupt a member when he is speaking, but we are called to order several times when the issue at hand is not being addressed. Rather than beginning to fight the election on investment possibilities, are we not speaking about a tax measure?

**The Deputy Speaker:** The member for Oxford, you have the floor.

**Mr Sutherland:** Let me just say that the member for Bruce wants to interject. He keeps complaining that I'm not participating in debates, and now when I am, he's still not happy. Maybe he's unhappy because we are talking about the reality of what's going on in this province. Despite what the two opposition parties—doom and gloom—want to say, there are many people who want to invest in this province because they know they can get a profit, they want to employ people, and they know that this government is willing to work with them to support them in investing in this province and getting people back to work.

I look forward to when we move into committee of the whole and deal with some of the amendments on this bill. I'd like to conclude the second reading debate.

**The Deputy Speaker:** Mr Sutherland has moved second reading of Bill 138, An Act to amend the Retail Sales Tax Act. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

*The Deputy Speaker ordered the bells rung.*

**The Deputy Speaker:** Please stop the bells. "Pursuant to standing order 28(g), I request that the vote on the motion by the Honourable Floyd Laughren for second reading of Bill 138, An Act to amend the Retail Sales Tax Act, be deferred until immediately preceding orders of the day on Wednesday, April 27, 1994."

Is it the pleasure—

**Mr Elston:** On a point of order, Mr Speaker: We got into a real problem here on another occasion when people raced up to the Speaker's chair and we were told, "Don't hurry, don't panic." Now what you have done is you have accepted one. We've asked for the deferral not to occur at routine proceedings but to have the matter deferred to a time which is specified in our request, which is 4:15 pm of the clock.

1730

It is, unless you are changing your mind or the mind of the Chair from a previous event, not dignified to race to try to beat somebody else to the Chair so that we can get precedence. If you have accepted theirs but are not accepting ours, I want to know the directions as to how you determine which of these deferrals is to be acceptable. Could you please advise me how you're going to deal with that issue of difference?

**The Deputy Speaker:** I will answer his point of order first. I agree it was not a nice sight when this happened the last time. At the same time, I must recognize that the first one that reached me was this gentleman and I accepted it as such. You didn't come both at the same time. But that's my ruling.

**Mr Elston:** So we have to race. We were misadvised.

**Mr Stockwell:** On a point of order, Mr Speaker: It's standing order 28(g) that the whip refers to in the motion to defer, is that correct?

**The Deputy Speaker:** That's correct.

**Mr Stockwell:** Standing order 28(g), as I read it, says: "During the ringing of division bells as provided in clause (f),"—I want to be very clear on this because it is somewhat technical—"the vote may be deferred at the request of any chief whip of a recognized party in the House. The Speaker shall then defer the taking of the vote to a specified time..."

"A specified time," in my mind, is 4:15, 6 o'clock, 5:30, whatever. But "a specified time" is not after routine proceedings, because there's nothing specific about the time routine proceedings will end. So therefore we don't have a specified time as to when the vote will take place other than after routine proceedings. Now, as I read the standing orders, it says very clearly "a specified time." That doesn't say "around" or "near" or "close to"; it says a time. If we don't have a time, ideally, of 3:15 or 3:30, then it doesn't conform to the standing orders.

**The Deputy Speaker:** Okay. I'm sure that all the members in the House understand that the Speaker has to rely on the regulations, on the procedures, and this is

what I'm doing. It says "4:15." May I advise you that if you feel that it does create some problems, some difficulties for you, members, all that you have to do is refer it to the committee on the Legislative Assembly and bring in a change. That is your prerogative. That is the end of the point of order. Please, let's not start a debate.

**Mr Elston:** On a point of order, Mr Speaker: When we had the big problem before with three members rushing to the Chair, your directions to this House were that everybody should proceed with decorum and present their material to the Chair.

It turns out that the member for Huron was not even in his seat. He was occupying, out of order, a seat that is generally available to the member for Wentworth North. He sidles up to your chair and walks up and presents you with his document before I could move from my seat, where I am sitting, to produce it to you in some manner of decorum, as you instructed us, as you led us to believe that when we were presided over by the Chair that we should give you, in turn, the requests for the vote and you would consider them. It wasn't first come, first served. If that in fact was your instruction, then we would have all raced to the Chair to be there first. You said, "Don't do that; that will not be the way that this House is operated."

Having said that, can you now advise us, sir, that you will accept none other than the first to reach you? In which case, the next time there is a deferred vote to be taken, there will be three people hovering around the Chair so that they can get their position first on the dais.

Second point: Mr Speaker, I want to ask you this question. In terms of the deferral of the vote, the idea of the standing order, which has been enumerated, which has been spoken about by my friend the member for Etobicoke West, was the fact that it is to be deferred to a time which is reasonable for all the parties in the House; it is not, as a result, it seems to me, to have the government party get its way to defer it to its time period without any regard whatsoever for the convenience of the minority.

I happen to be a member of the Liberal Party of Ontario, which is, with the Conservative Party, the minority in this House. We have a right to have it deferred to a time which is reasonable for our considerations. We have fewer members and we ought to be able to marshall them to a specific time. In this case I have requested 4:15 because that fits not only with the needs of our particular party to have our members back here to defeat this tax bill, but it also happens to comply with the time which is reasonable for the people in the Conservative Party.

It is not open to the Chair, in my view, to make a decision, because the government gave you their deferral first, to make us vote on their time frame because it is convenient for them. In fact, the House must arrange for a time which is convenient to all of us so that the members can be here to vote.

I ask you to clearly identify—

**The Deputy Speaker:** Thank you.



*Interjections.*

**The Deputy Speaker:** Order. Please give a chance to the Chair to listen attentively to what is being said.

**Hon Shelley Martel (Minister of Northern Development and Mines):** Mr Speaker, on the same point, if I might, I would like to raise a couple of points. First of all, there is nothing in the standing orders that says that members cannot be sitting in other than their own seat when they put in a deferral motion. Let's be clear about that. In this case, the member was not sitting in his seat, but there is nothing in the rules that says he or she has to be to submit a deferral motion.

Second, with respect to the comments made by the member for Etobicoke West, if anyone in this House cares to look over at least the last three years where we have put in deferral motions, they will see very clearly that on numerous occasions the deferral slip has only said "after routine proceedings."

We have operated in this House on that basis at least since I was the House leader, which was three years ago. There is no need for the deferral slip to have any specific time.

Third, I think it's incumbent on all members of the House to be here when there are votes. That is the way we have tried to operate in this House, and I would hope the members of the opposition will have their members here, as we will try to, at a time after routine proceedings tomorrow.

Finally, Mr Speaker, I think you have already ruled with respect to this motion and I would suggest we should probably get on with the business of this House.

**Mr Norman W. Sterling (Carleton):** In reading section 28(g), I think it was created to allow some accommodation for a party, particularly on an afternoon when it was not able to muster its troops, to allow the division bells to be rung at a later time so that more people in the Legislature could attend and vote on it.

There are two points. First is that perhaps you dismissed the argument of the member for Etobicoke West prematurely in terms of saying it should be a definite time, ie, that it should be 3 o'clock, 4:15, 5:15 or whatever, rather than a time within the legislative process which may take place tomorrow.

As I understand it, the way the government request has been put to you, it is a matter of a point within the proceedings. Therefore, I have no idea, as a member of this Legislature, whether the vote is going to take place at 2:45 tomorrow afternoon, whether it's going to take place at 3:15 or is going to take place at 4 o'clock tomorrow. It depends how long we take tomorrow afternoon with regard to when that part of the process will occur.

I think the whole idea within the standing order was that if a party, and all three parties can do this through their whip—

*Interjections.*

**Mr Sterling:** There's really not much sense in me making a statement until you're paying attention.

As I was saying, I think the object of the rule is to let

all members of this Legislature know when they must be ready to come and vote in this Legislature. Therefore, the government giving you a notice that it's going to occur some time during the process of tomorrow afternoon's hearing isn't really adequate. I do not know whether the vote is going to take place at 2:45 or 3:45. The whole purpose of the deferral is to give me notice, as an individual member, that that is in fact happening.

1740

The other part which I think you should perhaps consider, Mr Speaker, or the Speaker should consider, is that if you read section 28(g), it says:

"The Speaker shall then defer the taking of the vote to a specified time, but not later than 6 pm on the next sessional day, at which time the bells shall be rung for not more than five minutes."

I contend that if the government chooses to defer the vote on a bill—in fact, if any whip defers the vote—if there is a disparity about when tomorrow the various members of this Legislature want that vote to take place—in other words, the whip of the governing party says one time, the whip of the Liberal Party says one time or the whip of my party says another time—in reading the specific standing order, Mr Speaker, if you had to resolve the dispute, I would say what you should really do is take the latest time which is put forward by any whip in this Legislature.

Therefore, if they cannot come together, then it should come as close to 6 pm as possible. In other words, if one of the parties wants it delayed to five minutes to 6, that would be the time you would choose.

**The Deputy Speaker:** Okay, thank you. Please take your seat.

I believe I've been patient enough and I've listened to all the arguments. You are bringing good arguments. It's obviously a problem, and it is not for me to decide how it should be solved. It should be solved by the House leaders. Please get together and try to arrive at a decision. My first—

*Interjections.*

**The Deputy Speaker:** Order, please. The first document I received was from the member for Huron, who obviously was not sitting in his place. That is a mistake, perhaps, that the Chair may have made. Had there been two people coming at the same time, if you look at the distance, the first one who would have arrived would have been the member for Bruce.

There is a problem, there is a difficulty, there is an issue that you should decide. My ruling has been this one here, and I will abide by this one.

**Mr Stockwell:** What about the ruling on the timing?

**The Deputy Speaker:** Orders of the day.

**Clerk Assistant and Clerk of Committees:** Motion for second reading, Bill 110, An Act to amend the Employer Health Tax Act and the Workers' Compensation Act.

**The Deputy Speaker:** Mr Turnbull had the floor the last time.

**Mr Stockwell:** On a point of order, Mr Speaker: I

didn't hear your ruling with respect to 28(g). I didn't hear your ruling, maybe because the member for Lambton was wailing.

**The Deputy Speaker:** Order, please. The member for Etobicoke West, please take your chair. My ruling has been made.

**Mr Stockwell:** What is your ruling?

**The Deputy Speaker:** My ruling I have just told you. Let me not repeat this. I've asked for orders of the day. The member for York Mills now has the floor.

**Mr Stockwell:** Not on the race for the chair on 28(g). You didn't rule on it.

*Interjections.*

**Mr Stockwell:** If you're going to rule against it, rule against it. Just rule.

**Mr Sterling:** On a point of order, Mr Speaker: Surely every member of this Legislature has the right to raise points of order in this Legislature and demand of the Speaker that he either rule against or for his particular argument. That is what the member for Etobicoke West is asking you.

**Mr Gary Carr (Oakville South):** On the timing.

**Mr Sterling:** On the timing.

**The Deputy Speaker:** I apologize that perhaps I did not express my opinion as clearly as I should. Let me repeat it again. I've said very clearly that the first document I have received is the one I consider, and that's the one that was brought to me by the member for Huron. That is my ruling; that is my decision.

Orders of the day.

**Mr Stockwell:** That's not my point of order. This is nuts.

**The Deputy Speaker:** The member for York Mills, please, you have the floor.

**Mr Elston:** On a point of order, Mr Speaker: I would ask that you review the advice you gave this House the last time there were multiple deferral notices which were delivered to you at the chair. I think you instructed the House that there would not be any requirement for any racing of these things, that you would not be giving any particular precedence to the first received.

If you are changing that ruling, if you are changing that advice, then you owe us an explanation as to when the Chair decided that it was not necessary for us to race to your chair. Had I known the first to be received would be the only one that would be at all decided upon, I would have gone and stood right directly in front of your chair at the time you called for the bells. That means that we were led to believe we didn't have to be the first document received.

If you could, sir, review the advice that you gave to this House and explain to us when and why you changed your advice, then I would be much more content.

**The Deputy Speaker:** If it is agreeable to the House, I certainly will look into it and report back to the House.

**Mr Elston:** You will advise us.

**The Deputy Speaker:** I will do so. I will advise you accordingly.

We have now gone through orders of the day and I will now recognize the member for—

*Interjection.*

**The Deputy Speaker:** Please.

**Mr Stockwell:** Mr Speaker, I'm asking that you review the Hansard from what was requested today, because my point of order had nothing to do with the people running up and giving you a piece of paper. That's all you've ruled on. My point of order had everything to do with whether or not "after routine proceedings" was considered a specified time. That was my request on a point of order.

I've not heard your ruling. I've not heard you address my ruling. Three times I've heard you address the ruling of racing to your chair. I understand your ruling. I accept that ruling. All I'm looking for is a ruling on whether "after routine proceedings" is a specified time. I always thought a specified time was a period of time on the clock that we look up at here: 3:30, 4:30. That's a specified time. "Routine proceedings" is not specified at all.

**The Deputy Speaker:** Thank you. Please let's make sure we settle this once and for all. It has been the practice in the past where it was indicated the day only. That was the practice. Obviously—

**Mr Elston:** Mr Speaker, on that issue, sir, it says, particular the standing order, the day has nothing to do with it. There is no obligation except that the Chair must accept a deferral no later than the following sitting day by 6. That's not the specified time that we're worried about here, sir, because the standing orders clearly govern that issue. It is "specified time," ie, on the clock, in terms of the vote. I think that you really have misinterpreted the rule in that regard.

**Hon Miss Martel:** Point of order, Mr Speaker.

**The Deputy Speaker:** Yes, I will recognize you afterwards. I will recognize you. Please take your chair.

It says in the standing order "a specified time." It doesn't say the hour. It says "a specified time." At the request of the member for Bruce, I said that I will advise you accordingly. I will advise you as to why the Chair indicated what I just said. So we've called orders of the day. I will now ask the member for York Mills to please debate the bill.

EMPLOYER HEALTH TAX AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI  
SUR L'IMPÔT PRÉLEVÉ SUR LES EMPLOYEURS  
RELATIF AUX SERVICES DE SANTÉ

Resuming the adjourned debate on the motion for second reading of Bill 110, An Act to amend the Employer Health Tax Act and the Workers' Compensation Act / Projet de loi 110, Loi modifiant la Loi sur l'impôt prélevé sur les employeurs relatif aux services de santé et la Loi sur les accident du travail.

**Mr David Turnbull (York Mills):** When I last was speaking to this bill, Bill 110, the Employer Health Tax Amendment Act, I was reflecting on the job-killing aspect of this bill.

The fundamental question that we have to ask our-



selves is, how do we fund health care? That's a very problematic question, one which throughout the world many governments have struggled with, and there can be little doubt that we have a problem in Ontario. The health care system in this province is in decline. It's widely accepted that the health care system is in decline.

I want to reflect back on the last election when Mr Rae, then Leader of the Opposition, now the Premier of this province, promised nurses an increase in pay. The interesting thing was that here was one of the better promises that they made in the election.

1750

**Mr James J. Bradley (St Catharines):** Did they give them the money?

**Mr Turnbull:** Well, they gave them some of the money, but then they took their jobs away. If one were to go and ask those nurses who are out of work today, I suspect the nurses would sooner have less pay and a job than no job, but that seems to be the path of this government.

It seems that, to a great extent—we're losing the Chair. If you want to adjourn the House and debate this point of order, perhaps you might want to do that; I'm quite amenable.

The NDP government used to make a lot of statements about how they were going to improve health care, but what have they done? They have strangled the health care system in this province. The government would have you believe that in point of fact they have done some very brave things to the health care system, but what have they done? They've closed hospital wards.

Hospitals have responded by saying there are ways we can address these problems. We recognize that the government has a fiscal problem. What about allowing us to maintain those wards in an open state and take in paying customers from the US? The government says, "No, no, you mustn't do that, because that might lead to a two-tier health care system."

The fact is that we have a two-tier health care system. The fact is that if children of members of the government fall ill, I suspect they will have access to all of the technology that is needed. Instead, when the ordinary citizens of this province have a problem, they go on endless waiting lists. People with cancer are told they have to wait for treatment.

This is while we have wards closed down and we have nurses out of work. But the government, because it is so tied to its ideology, won't allow the hospitals to open up those wards and take in paying customers from the US to somewhat help the strains on the health care system. The fact is, as I said, we have a two-tier health care system.

Affluent residents from Ontario who need perhaps a magnetic resonance imaging procedure, who cannot get into a program in Ontario, go to the US. Meanwhile, we have the machines standing doing nothing late at night, in the early morning and overnight. The interesting thing is that we now have a situation in this province that vets go to hospitals and use their equipment on animals in those off hours. The government won't allow paying customers to use that equipment. Oh, that would be bad.

It's fine to let a dog in and to do the procedures in the hospitals using equipment the taxpayers have paid for, that's fine; and it's fine that the affluent residents of this province can go to the US and use the magnetic resonance equipment in the US, which they can have access to in a matter of a couple of days, but don't you dare allow hospitals to charge people to have access to those machines.

It is absolutely incomprehensible and it is just a perfect example of a government that is populated with people who have never managed anything in their lives. The problems are manifesting themselves everywhere in the economy, but particularly in the health care system.

The taxpayers of this province are willing to help. In fact, during the summer of 1993, in my regular newsletter to constituents, I asked a series of questions. One of the questions I asked was: "Would you accept user fees for health services, for example, a \$10 charge for a visit to an emergency ward of a hospital?" Guess what? Seventy-four per cent of the respondents said yes. Only 25% said no and there was 1% undecided.

**Mr Randy R. Hope (Chatham-Kent):** How many were there?

**Mr Turnbull:** I hear heckling from across the floor. The question is, how many responded? A very large number of people responded. I had some 600-odd responses, which is an unusually large response to a mailout survey.

*Interjections.*

**The Deputy Speaker (Mr Gilles E. Morin):** Order. The member for Chatham, please.

**Mr Turnbull:** The problem is that when we talk about what the people of Ontario are telling us, the government doesn't like it. We have warned over and over again as to the serious nature of the employer health tax in terms of being a job killer.

I just refer back to a news release, and this is dated December 14, 1989. It was put out by Andy Brandt, the interim leader of the Conservative Party. They had done a survey at the time with respect to the health tax. It reads, "Over 63% of employers who responded to a survey on the employer health tax agreed this new payroll tax would hinder and impair job creation in Ontario," says Andy Brandt, leader of the Ontario Progressive Party."

It goes on to say: "Given that our economy is slowing down, I find it incredible that the Liberal government can go ahead with a new payroll tax that its own officials warn will cost jobs in this province," Brandt says. "With that kind of lack of awareness of our economic situation, this government is risking pushing Ontario into a recession instead of an economic slowdown."

Indeed, we have seen the results, partly as a result of the world recession, partly as a result of actions taken by this government and partly as a result of the employer health tax put forward by the Liberal government at the time.

In a presentation made by Ted Mallett, who is a senior economist with the Canadian Federation of Independent Business, in February 1994, he stated: "Payroll taxes have

become a common method of source"—I guess he meant common source—"of government revenues during the past number of years. Governments wishing to avoid public anger when searching for revenues have relied on payroll taxes to put more of the burden on business operators. The burden of payroll taxes tends to fall most heavily on labour-intensive businesses or those operating at low or negative profit margins. Considering that small and developing companies tend to fit these descriptions, payroll taxes are acting as a brake on business development and job creation." That is the fundamental problem.

We know that we have to revitalize the way that we fund health care and we know that in fact this present government has been strangling many aspects of health care.

In a survey that my party has just put out in connection with the Mike Harris task force on creating jobs in the small business sector, we had a survey of 19,500 businesses—

**Mr Chris Stockwell (Etobicoke West):** On a point of order, Mr Speaker: Is a quorum present?

**The Deputy Speaker:** It is 6 of the clock, but if you want to bear with me for a minute, please.

**Mr Turnbull:** It being 6 of the clock, I'll adjourn debate, and it means that, I believe, I still have some seven minutes left on the clock when we continue.

**The Deputy Speaker:** I have reviewed the case that you brought to my attention, and I must point out that the letter that was brought to me by the member for Huron was signed by the member for Huron and should've been signed by the whip.

**Interjection:** He is a whip.

**The Deputy Speaker:** It should've been signed by the chief whip. Therefore, I have no other alternative than to

recognize the notice that was brought to me by the member for Bruce.

It being 6 of the clock—

**Hon Shelley Martel (Minister of Northern Development and Mines):** On a point of order, Mr Speaker: I might have a copy of the motion that was put forward. It was my understanding, not only in this case but in others when the governing party has put forward the notice for deferral, that these have been signed by the acting whip for the day in the assembly. In this case, the member for Huron was acting in the capacity of whip on behalf of the whip and, as such, he has signed his name to this. I suspect, if the table were to look at other motions that have been put forward by the government and accepted by the Speaker, they will see that this has been similar practice to what we have done in the past. I would ask the Speaker if he would have the table review this matter, review the other motions that have been put forward by acting whips and get back to this House tomorrow on the ruling.

**Mr Stockwell:** On a point of order, Mr Speaker: The rules are very clear, though, and the rules state that the motion for deferral of a vote must be signed by the whip. It can't be signed by anyone else, not the deputy whip or anyone else, so I would ask you, Mr Speaker, to—

**The Deputy Speaker:** Please, I just want to let you know that I will look at it again. Please. This is a complex issue. Obviously, there is a problem—

**Mr Stockwell:** On a point of order—

**The Deputy Speaker:** No more points of order, please. It's past 6 of the clock.

It being past 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 1802.

## ERRATUM

No.	Page	Column	Lines	Should read:
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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of Ontario**

Third Session, 35th Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 35<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

Wednesday 27 April 1994

**Journal  
des débats  
(Hansard)**

Mercredi 27 avril 1994



Speaker  
Honourable David Warner

Clerk  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 27 April 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 27 avril 1994

The House met at 1333.

Prayers.

## MEMBERS' STATEMENTS

### VIOLENCE

**Mr Gilles E. Morin (Carleton East):** Communities across Ontario have been shocked and frightened in the last few years by increasingly random acts of violence which defy our comprehension and challenge our tolerance.

We've now reached a point where action must be taken, concerted action by all three parties in this House, by all levels of government, by every community, by parents, by teachers, by everyone, because we all have a stake in this society and we are all part of the solution.

I should not have to remind this House that violence in our communities is a non-partisan issue. My leader, Lyn Mcleod, recently proposed a non-partisan approach to this problem. This is not the time to play political games. We have absolutely nothing to gain in this way.

Collaboration is essential and we can find a common ground upon which to launch new initiatives, initiatives that would reassert respect for human life, for the dignity of all individuals and for private and public property.

We do not want law and order at any price, yet we can no longer tolerate random acts of violence. To implement long-term solutions, we must attack the roots of crime, address the multiple social and economic causes of crime. We cannot afford Band-Aid solutions. Greater control over guns and bullets is a good starting point.

Let's work together on this issue. Let's do something.

### EDUCATION PROGRAM EVALUATION

**Mrs Dianne Cunningham (London North):** Fifty-five thousand 13- and 16-year-olds randomly selected from English and French public and separate schools around the country are participating in the first national test in reading and writing launched by the Council of Ministers of Education, Canada.

The purpose of the school achievement indicators program is to collect information that will help determine how effective our education systems are in relation to Canada-wide standards.

In 1991, the Minister of Education stated that the government would not participate in the national testing, stating that tests did not reflect Ontario's curriculum or demographic profile. This decision was almost universally condemned in newspaper editorials across the province, and by parents and by educators. This decision was made at a time when the public was demanding more accountability from our education system.

Our party vigorously, strongly supported a national testing program, and on December 10, 1991, the second

Minister of Education—with our strong urging, I might add—Mr Tony Silipo, announced that Ontario would participate in the school achievement indicators program.

Our wish today is to urge this government to develop a core curriculum for Ontario for elementary and secondary schools which sets standards for each grade level and establishes testing at regular intervals to ensure attainment of those standards. I believe that an education system that is accountable and provides excellence must be a priority for the students, the parents and the whole, entire Ontario community.

### VOLUNTEERS

**Mr Mike Cooper (Kitchener-Wilmot):** I rise today to recognize some individuals from my region. As we all know, last week was recognized as Volunteer Week, and on April 19 I had the privilege of participating in the volunteer appreciation evening held by the Waterloo region branch of the Canadian Mental Health Association. This is the 75th anniversary of the Canadian Mental Health Association, and the association has been in the Waterloo region for 33 years.

Currently, there are over 500 volunteers in the Waterloo region, and each of these volunteers makes a very important contribution to our community. All the volunteers prove that a caring community is the answer.

In line with our government's mental health reforms, the Canadian Mental Health Association encourages community involvement, participation and maintenance. Volunteers are able to help make this a reality.

Volunteers give a very important part of themselves. They make a commitment to their community and to those they help. Volunteering is as natural a self-expression as talking.

The evening was an acknowledgement of the impact these volunteers have had on our community and all our lives. It was a pleasure to be a part of this event, and I just want to say thank you to all the volunteers. Their work, their efforts and their dedication is evident in everything they do.

The awards presented included length-of-service awards, outstanding volunteer contribution, honorary membership, as well as pins and certificates for one to seven years inclusive and for 10 years service.

These people are outstanding individuals in our community and I would like to take the opportunity to thank all our volunteers and the Waterloo region branch for their efforts in the community.

### CONTAMINATED SOIL

**Mr Alvin Curling (Scarborough North):** The Malvern remedial project, a project jointly sponsored by the Ontario Ministry of Government Services and Energy, Mines and Resources Canada, recently announced the

final stages of removing radioactive soil from McClure Crescent and nearby McLevin Avenue to a temporary site at Passmore Avenue and Tapscott Road, where the material will be stored, sorted out and shipped to a storage site in Chalk River, Ontario.

This was a commitment I made on June 19, 1985, to remove this contaminated soil from the area. In anticipating that the process may take a long time, in 1986 the Liberal government of the day purchased 40 homes that were affected. We are just months away from when the process will begin. The residents who are still there are very concerned and should be commended for their patience and endurance. They just cannot wait any longer to have that soil removed.

The efforts of Gord Laschinger, the director of real estate of Management Board, should not go unmentioned. His competence and understanding of the issue allowed the matter to be dealt with efficiently. Brad Franklin, the senior public affairs officer for the low-level radioactive waste management office, kept me informed constantly.

I'm concerned that the mayor and some councillors are having second thoughts about this. I hope they get on with it and make sure that this soil is moved immediately.

#### SCHOOL BUS TRANSPORTATION

**Mrs Elizabeth Witmer (Waterloo North):** I recently had the opportunity to meet with members of my community representing School Bus Ontario, an organization which believes that safety must be the first priority of student transportation.

There is no doubt that Ontario's present school bus transportation network, which is the result of decades of fine-tuning of regulations and policies, offers the safety and security that is expected by the students and parents of this province. The alternative to school buses is to require children to use local transportation systems. While this may be acceptable for older high school students, I share the coalition's concern about the hazards which younger children may be exposed to.

1340

On a school bus, routes are planned around the location of students' homes and schools, eliminating the need for children to transfer buses. It is unlikely that children can get off school buses at the wrong stop. As well, on a school bus, students are not allowed to stand up.

Finally and most importantly, since children ride only with their peers on a school bus, they are safe from harassment or crime while on the bus and cannot be followed by adults intending to harm them.

Therefore this group, the School Bus Ontario coalition, has asked that in order to preserve safety and security, yet reduce total spending on student transportation, long-term restructuring of this vital public service is essential and that no further reductions of student transportation funding occur until such time as restructuring initiatives can be implemented to realize greater cost efficiencies.

I support safe transportation to and from school.

#### NORTHERN ECONOMY

**Mr Len Wood (Cochrane North):** I'd like to provide this House with an update on job creation and job sustainability in northern Ontario.

As we know, provincial government activity, in partnership with communities and the private sector, has helped to stabilize the northern economy. Overall, the government has created and maintained thousands of jobs and has developed innovative approaches to economic development. Increased training and education have helped the north develop the capacity to continue diversification and become part of the new information-based economy.

In Kapuskasing, the province facilitated the employee and community buyout of Spruce Falls Power and Paper Co, saving 800 jobs, and in Thunder Bay, the employee buyout of Provincial Papers saved 700 jobs.

Loans and loan guarantees from the province and the northern Ontario heritage fund have allowed sawmills in a number of communities to survive in the downturn of the 1990s and return to profitability.

Since 1990, there have been 31,000 jobs created and supported in northern Ontario through the various Jobs Ontario programs, youth employment and provincial investment in companies. In Cochrane North alone, our Jobs Ontario Training program has helped to create 603 long-term jobs in cooperation with the private sector. We also have two aboriginal training brokers who have created 46 jobs since they started a year ago. This particular program has created over 2,700 jobs for all of northern Ontario. The Ontario native community infrastructure program created 300 jobs since 1991.

Hydro-electric generating stations also have created a number of jobs. The Negagami-Shekak project has just got the go-ahead. It will create 123 construction jobs and 400 indirect jobs.

#### CAMPING FEES

**Mr Steven Offer (Mississauga North):** Last Monday, Mike Harris questioned the government about its intention to start charging fees to boy scouts and girl guides using provincial parks. Harris noted that the government was so desperate that it was willing to go after six-year-old kids.

The Conservatives see this change as a new kind of user fee, yet though seemingly opposed to user fees in the parks, they are in support of user fees in other areas such as health care. The question is, what will Mike Harris do if six-year-old Bobby hurts himself while camping and has to be rushed to the local hospital? Under a Tory government, will Bobby's parents have to pay for the services of a doctor or for health care? Mike Harris says yes. Mike Harris doesn't think little Bobby should have to pay for camping, but isn't opposed to charging him to use the health care system.

Harris also noted that the campers could participate in activities around the park instead of paying daily fees, a kind of workfare. How does that work? Does little Bobby have to sign a commitment that he's going to work before they allow him into the park or do they check little Bobby's pockets to make sure he's taken out enough paper in order to allow him to leave the park?

Is this the same Mike Harris who thinks it's okay for Helle Hulgard to stay at home and collect welfare instead of working? Mike Harris wants boy scouts and



girl guides to work for their campground fees, but people with good-paying jobs can quit and let the system support them.

#### JOB SECURITY

**Mr Allan K. McLean (Simcoe East):** My statement is directed to the Premier and it concerns a fax I received yesterday, April 26, from a Mr Allan Deegan, vice-president, CN North America. Mr Deegan indicates that CN filed a notice of intent yesterday with the National Transportation Agency of Canada to cease rail operations on the Newmarket subdivision, Bradford to Washago, and on the Midland subdivision, Orillia to Uthoff.

In 90 days or less, following the filing of the notice of intent, Mr Deegan said CN will formally apply for permission to abandon these lines. He said CN invited proposals from short-line operators for five lines in Ontario including the Barrie-Collingwood and Midland-Uthoff lines. Mr Deegan said, and I quote, "Potential bidders withdrew from this process when changes to the Ontario Labour Relations Act were enacted." Thousands of jobs will disappear in Ontario because of the NDP government's job-killing labour bill, Bill 40.

Premier, you pledged that this session of the Legislature would be about "jobs, jobs, jobs." The word "jobs" came out of your mouth dozens of times during your recent speech to the NDP provincial council.

Premier, I urge you to table and support the private member's bill introduced by my colleague from Simcoe West, which amends the successor rights portion that makes it uneconomical for short-line operators to take over abandoned rail lines. Ensure that workers can keep their jobs, jobs, jobs. Your Minister of Jobs has said no to jobs.

#### LES COOK

**Mr Kimble Sutherland (Oxford):** I rise today to pay tribute to Les Cook, a former mayor of the city of Woodstock who passed away last week.

Les Cook dedicated his life to public service. He spent a career with Canada Post before retiring in 1985 as a postal supervisor. He spent his spare time driving a school bus for the Oxford County Board of Education.

But as importantly, he believed strongly in involving himself in local politics. For 21 years, Les represented his neighbours and friends at city hall as a city and county councillor, plus three terms as mayor. He retired from the political scene in 1991 but remained an ardent observer. Often you would see letters to the editor in the local paper from Les as he offered his views on a problem.

But Les's contribution to his community and country stretch back further than his terms in public office. He spent more than six years overseas with the Royal Canadian Regiment and the Canadian Provost Corp during the Second World War. Upon his return, he remained a faithful member of the Royal Canadian Legion, Branch 55, Woodstock, and for many years was the sergeant of the colour party.

Tributes to Les poured in from the many people who had served with him over the years. They painted a picture of a tireless worker, dedicated to doing his best in the public interest.

Les Cook's contributions to his community were many and they will not soon be forgotten.

#### PARLIAMENTARY PROCEDURE

**The Speaker (Hon David Warner):** Yesterday, during the division bells on second reading of Bill 138, An Act to amend the Retail Sales Tax Act, the Speaker received two letters of deferral pursuant to standing order 28(g). The Speaker, according to practice, accepted the first letter he received as the prevailing one. Following this, several members rose on points of order as to the decision that had been made.

Essentially two points were raised. The first was that the Speaker should not accept the first letter received but should adopt some other method of determining acceptability. The second point raised dealt with the question of what the words "specified time" are interpreted to mean in the standing order. I will address both of these points shortly.

Before I do that, however, I want to return to the further events of yesterday. Members will recall that it came to the attention of the Speaker that the first deferral letter received did not meet the requirements set out in standing order 28(g), which states:

"During the ringing of division bells as provided in clause (f), the vote may be deferred at the request of any chief whip of a recognized party in the House."

While it is true that on at least one previous occasion a deferral letter signed by a member other than the chief whip of a recognized party was accepted, it is my view that standing order 28(g) is very clear and can only be interpreted to allow acceptance of a deferral letter from the chief whip of a recognized party. I therefore have no alternative but to find that the deferral letter received yesterday from the acting government whip is out of order and cannot be accepted. The vote on the question of second reading of Bill 138 is accordingly deferred until 4:15 pm today as requested in the deferral letter signed by the chief whip of the official opposition pursuant to standing order 28(g).

Turning now to the point raised with respect to the words "specified time" in standing order 28(g), I can only say that in this House for the purposes of this standing order, "specified time" has consistently been interpreted to mean either a time prescribed by the clock or a time in the proceedings of the House such as "immediately following routine proceedings" or "immediately prior to orders of the day."

#### 1350

I now wish to address the question of which deferral letter is to be accepted by the Speaker when more than one is received. It has been our practice in this House that the Speaker accepts the first deferral letter received. It is obvious to me from the events of yesterday, a close reading of standing order 28(g) and previous occurrences in this House that this practice does not encourage dignity or preserve decorum appropriate to this chamber.

It is clear that a change is required, and it is my view that such changes are best made by consultation with members from all parties. Therefore, pursuant to standing order 106(i), I am referring this question to the standing

committee on the Legislative Assembly for its consideration and expeditious report.

Members should be fully aware that should circumstances similar to the events of yesterday occur before the committee makes its report, the Speaker will determine the method of selecting the prevailing deferral letter.

**Mr Murray J. Elston (Bruce):** On a point of order, Mr Speaker: Thank you very much for your presentation, sir. On the issue of when to choose the properly filed deferral notice, I commented yesterday, and it was taken as notice by the then Speaker, that the member who initiated the delivery of the government's notice of deferral was not in his own place. In fact, if he had risen in his place to initiate a speech or an intervention, he would have been ruled out of order and not recognized.

It is my view, sir, that when someone who initiates any event, any legal proceeding in this House, does so from a position or place of seating other than his own, he should be treated in exactly the same way as though he were intervening orally in the proceedings of the day: called to order, sent back to his seat, and then asked to proceed with whatever legal intervention in the proceeding he or she may wish to make.

I think that would have also solved some of our problem yesterday. It probably would not have eliminated the need for a foot race, because that eventually was all that we are now left with: The acceptance of the first filed is now obviously the way things will be until the House, through its Legislative Assembly committee, decides.

For me, we thought we had a decision taken earlier by a previous Speaker. In fact, I looked up the date and everything, and it was the sense I had that maybe there was to be a different manner of delivering our notices of deferral.

In any event, I think it is important for you to take notice of the fact that all of the proceedings, however or whenever they are to occur under the auspices of the standing orders, must be so done and conducted in accordance with order in the House. If somebody pretends they are to be delivering some message to your chair in accordance with 28(g), they should do so from their own place and not, as I suggested might happen from here on in, having a bunch of people camped out on the dais in order to be first on your list. I think you should make some decision with respect to that. I don't think you have any option but to declare that people can only initiate interventions here from their own seats, for instance.

I think you should be very clear that perhaps there is something that should be worked on in relation to what is most convenient for all of the people. I rose yesterday and intervened by saying that just because the government got its deferral notice there first meant that we as the minority then had to put up with whatever the government instructed us. That to me is not the way the deferral notice is to work. The deferral notice is supposed to mean—well, it's not convenient for people now, but it should not be made less convenient for the rest of us just because the government was able to get its to you in time.

So there are several issues of which I think you should take note.

Preliminarily, I think you should declare that no one can initiate a proceeding here when he or she is out of order, that they be called to order and dispatched back to their place to initiate the event from their place of order. I think that, as a preliminary matter, might help some things be resolved.

I think you should also take into consideration that where there is a dispute as to timing of votes which are important—this is a tax bill; this is a confidence item. It's not likely that the matter will be defeated by the few numbers of the opposition who now occupy this place, but because it is a confidence matter, I think it is imperative that if there's a disagreement as to time, perhaps the convening of a meeting of House leaders should be taken so we can work on the appropriate time so that the best result, in the sense of the House being most highly attended, can be arranged.

Those two points in particular I think are significant for us at this point.

**Mr Ernie L. Eves (Parry Sound):** Just very briefly on the issue of specified time, while I appreciate that in the past there have been letters that have suggested that a deferred vote be held in accordance with a certain spot in our business sheet, I would suggest to you, having spoken to the member for Carleton yesterday, who was the representative from our party who helped draft the change in the standing orders, that "specified time" was never intended by the draftspeople in all three parties of this Legislature to refer to anything other than a specified time; that is, a time on the clock.

If someone were to say, "What time is it now?" if you're walking down the street or here, nobody would say, "Oh, it's before orders of the day." They would say, "It is three minutes to 2." It seems to make abundant sense to me. The government doesn't seem to agree. Maybe when they have their cabinet meetings or their caucus meetings, they say: "It'll be on Tuesday before orders of the day. That's when you're supposed to come to caucus." Our caucus says, "It's Tuesday morning at 10 am." I don't know how the New Democratic Party works on that principle. It's kind of vague and it's certainly not specified and it's certainly not a time.

I would suggest to you, Mr Speaker, that you might want to refer the issue of "specified time" to the Legislative Assembly committee as well.

**Hon Brian A. Charlton (Government House Leader):** On the point you've ruled on in terms of specified time and that the House leader for the third party has raised, the House leader for the third party stands in his place and contradicts himself.

The opposition parties in this House have delivered deferral notices to the Chair to conduct votes "immediately after routine proceedings." Both the opposition parties have done that to the government. So it is the precedent of this House—

**Mr Eves:** We are in agreement: We have done that. We're not talking about standing order 28(g).

**Hon Mr Charlton:** No, no. When this issue originally



arose here last fall, it was because the opposition parties intentionally deferred a vote until after routine proceedings, not to a specified time, and that caused the government to lose the afternoon on a particular matter. The precedents in this House for the last three years have seen the House defer votes on a regular basis to after routine proceedings. The procedure the government used yesterday, as you've set out in your ruling, Mr Speaker, is no different from that.

On the other matters raised by the House leader for the official opposition, Mr Speaker, I look forward to hearing your comments on them because they are probably legitimate questions that should be resolved.

**Mr Elston:** One other point: I did forget to raise one other issue with you, sir, and that is the question of the business of the day. We have a precise listing of what goes on here. In fact, it's delivered to us each day. What all this is about is exactly as the member for Hamilton Mountain has indicated: It is the struggle over when you get a full day's work so that time allocation motions will be seen to be valid in this place.

The whole reason the decision has been taken to refer this to a time that is before orders of the day is so that once orders of the day are called, he can get a full afternoon's debate on 120, thereby fulfilling his requirements under his time allocation motion.

This is one of those very fine-line issues. In fact, in this place, if we were to go through this with someone who has nothing in terms of knowledge of how this place works, we would divide our day down into routine proceedings and orders of the day. What is happening now, of course, is that we are trying to create some kind of twilight zone. The deferred vote is not a routine proceeding and the government wishes it not to be an order of the day, yet, legitimately, if we deal with this and we take it off our Orders and Notices, it has been the dealing with of an order. Basically, we can't have it two ways. It can't be dealing with an order and not dealing with an order. It may be that this will help us deal with some of the issues, but in my view, we cannot come to this place and say we have routine proceedings and orders of the day, and another thing called "convenience zone" so that whatever must be done can be done.

1400

From my point of view, Mr Speaker, it is either an order or it is not an order. If we vote on it, if we take a proceeding, it is the conducting of an order of the day. Perhaps you might think on that, because if we have a deferred vote which does get dealt with, then it seems to me that is and has to be considered an order of the day and the first item of business conducted by this place. I don't know how we can have a vote that is not an order.

**Hon Mr Charlton:** Mr Speaker, to the additional point which the House leader for the official opposition has raised, you've already ruled on that matter. It was ruled on last fall and we've been dealing with that question, I think, rather appropriately.

As I said earlier, I would be happy to hear your comments on the other two matters that the House leader for the official opposition has raised, because they are

questions that should have some definition and some understanding for members of the House.

**The Speaker:** To the three House leaders, all three House leaders have spoken quite eloquently on precisely why I have referred this matter to the standing committee on the Legislative Assembly.

May I say and underscore a portion of the ruling which I made today: The spectacle of members racing to the dais with a piece of paper is unacceptable to me in terms of maintaining the appropriate dignity and decorum which this chamber deserves. While this matter is being dealt with by the Legislative Assembly committee, should there be an occasion for a deferred vote, the Chair will have a method of dealing with it that is not simply first come, first served. I trust that all members are fully aware of that.

**Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations):** Mr Speaker, I believe we have unanimous consent to remark about the elections in South Africa.

**The Speaker:** Do we have unanimous agreement? Agreed.

#### ELECTIONS IN SOUTH AFRICA

**Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations):** It is indeed a great honour for me to stand in my place today and speak on behalf of the government of Ontario as we rejoice and celebrate the end of apartheid, the end of discrimination and racism, and the beginning of new freedoms, and certainly today the freedom of elections in South Africa.

Apartheid was a tool in South Africa to use in the form of racism and discrimination. It dehumanized 16 million people. It prevented them from fully participating in their country and it made them live in abject poverty that we as citizens in Ontario viewed with horror.

It took away these people's right to be able to participate fully in things that we in Ontario take for granted, occasionally, such as being able to express themselves, to be able to participate fully in their choice of a political party, to be able to vote, and to be able to have a choice in decision-making in how their government should be run.

We are extremely pleased that today, as we view from here in Ontario, many of us on this side of the House have both privately and publicly expressed support for ending apartheid and making sure that we came to a point and place in time that people would be able to participate, as we do in Ontario.

We all have two vivid memories of the events which have led up to this particular day. We have seen in more recent times the Sharpeville massacre, which we mark every year as the International Day for the Elimination of Racial Discrimination. There were demonstrations which were usually followed by bloody violence in Soweto township, and there were revolting conditions under which the majority of the people of South Africa lived, not just the poverty but the fact that they were dehuman-

ized and they were unable to participate in equality and in fairness.

But then we started to see a change, in time. As we in Ontario put aside our political partisanship, we can all take pride in the fact that as Canadians, as citizens of this great province, we were able to turn the tide of events and we were able to put pressure on South Africa to end apartheid and therefore end racism and discrimination.

We participated in a boycott of South African products. We participated in rallies and demonstrations, voicing our concerns not only here in Ontario but at the United Nations. We participated in international events, putting pressure on the government of South Africa to review its practices and its policies and to bring in a free and democratic society.

More recently, the government of Ontario was also able to help in this new process. Just recently, in February, Jacob Zuma, deputy secretary-general of the ANC, who is a candidate for the position of Premier in the province of KwaZulu, Natal, and Felix Delamini, who is the principal secretary of the ANC, visited and shadowed our Premier. Not only did they shadow the Premier and see how a Premier is able to operate on a day-to-day basis, but they visited many of our ministries, participated in briefings to see how government in Ontario works, were able to view us here in the House, and were able to ask various ministries questions about how governments operate and work in a democratic society.

In addition, just recently—in fact, in the last two weeks—Ontario hosted eight public servants in training as part of an international program for South African civil servants. This mentoring program was for two weeks, whereby each person spent time with and shadowed a senior manager of a particular ministry.

This is surely an example of how Ontario has been trying to respond to the growing concern of making sure that the new democratic process will work and will continue to work. We're very pleased that we've been able to participate in this international movement to see South Africa become a democratic nation.

On this day, as we watch, we are still very concerned that we want to make sure that racism and discrimination are ended all around the world, not just in South Africa but here in Ontario as well. We wish all of our brothers and sisters in South Africa Godspeed and goodwill and we pray for them that this new process will work, and we will be there for them to make sure it does work.

**Mrs Lyn McLeod (Leader of the Opposition):** On behalf of my caucus, I am pleased to join with all members of this House in congratulating South Africa on its first multiracial elections in that nation's history.

These elections mark the beginning of the end of three centuries of apartheid, a policy of oppression, a policy that divided a nation. This is another of those days that few of us expected to see in our lifetime. Who among us would have expected to see a free Nelson Mandela campaigning to become President of South Africa?

It was wonderful this morning, on television, to watch Nelson Mandela cast that first vote and it was marvellous to see the joy in people's faces as they lined up for hours

just to have that privilege of casting their first vote, and to see the woman who dressed in her finest as she went out to celebrate what for her was the greatest day of her life.

As people around the world celebrate these elections, the people of Ontario and indeed all Canadians can be especially proud of the role we have played in achieving this historic event. From Sharpeville to Soweto to the imposition of sanctions in the late 1980s, we have stood solidly behind freedom and democracy and racial equality in South Africa.

The creation of a non-racial democracy has been one of Canada's main foreign policy objectives since the 1960s, and today Ontarians and Canadians are still at the forefront. In addition to Canada's team of 12 observers, there are 58 others from non-governmental organizations in South Africa right now, helping to ensure the freeness and the fairness of the elections. We thank them for their work and for their commitment.

1410

The road to freedom has not been an easy one for South Africa, and even today images of violence are mixed with the images of joy and the reality of celebrating a unique achievement. We know that making democracy work in South Africa is not going to be easy. As Canadians, we will continue to be there, offering our assistance, advice and encouragement so that the fledgling roots of multiracial democracy will take hold and grow strong.

Democracy in South Africa could not have been achieved without the leadership of people like Nelson Mandela who were able to inspire not just South Africans but people around the globe. I think we all remember Nelson Mandela's visit to Queen's Park three years ago, when tens of thousands of people came to the rally. I believe that said a lot about the way that Ontarians feel about the fight for freedom in South Africa.

We must also recognize the important role played by F.W. de Klerk, who heard the demands for change and who saw that apartheid was no longer viable for South Africa.

But most of all we must congratulate the people of South Africa for their tremendous resilience and perseverance and their vision of a free nation. Their struggle has been long and painful and too often tragic, but they were determined that their struggle would not be lost and they have emerged victorious.

This is a day that should make all of us stop and understand once again how precious democracy is, as we see others who have been prepared to fight for and to die for and to cherish the right to vote that we too often take for granted.

Let us hope and pray that as the voting takes place this week the people of South Africa will not be intimidated from exercising their newly won rights by those who wish to continue the violence and the hatred of the past. Whatever the outcome of these elections, we must hope that peace will prevail and that the people of South Africa will begin living in harmony, free of the fear and anguish that have gripped their nation for so long.



We extend to the people of South Africa our best wishes for success in these elections as they begin building a new country, one that, as Nelson Mandela said this morning, will bring prosperity and hope for the future.

**Mr W. Donald Cousens (Markham):** I'd like to thank our leader, Mike Harris, for asking me to speak on behalf of our caucus on this very important issue and would share strongly in the statements that have been made by the Leader of the Opposition and by the government.

A historic event such as the free election in South Africa will be a day that is remembered for ever. It marks the end of apartheid, the beginning of a new democracy and a fresh start for freedom and hope and a new life for the people in Africa.

The Berlin Wall was built in August 1961 and came down in November 1989, some 28 years. Yet today the walls of segregation that have been built over time are at last coming down. The 340 years of an era of dominance in South Africa that has distinguished white from coloured and white from Asian are now coming to an end.

The walls of apartheid were formally erected in 1948 and laid down a structure separating racial groups one from another and ensured no resistance to the rule by a minority.

Today the South African nation has a new Constitution, a new flag and a new democracy. The walls of prejudice are as large as any that humans can build, and yet, like the walls of Jericho, with faith and much suffering those very walls are now broken.

When you think of democracy, I remember what J.A. Corry said in 1951:

"If the democratic ideal of the supreme importance of individual personality is clearly understood and firmly held by the bulk of the people and if enough persons with an informed intelligence participate actively in democratic politics, the needed controls can probably be devised and the required caution is likely to be exercised."

With democracy there are no guarantees, only the possibility of greatness. The step towards democracy in South Africa leads us to wonder how well it will succeed; it leads us to hope that the new president will be blessed with good health, a long life and the support of the minorities; it leads us to pray for peace and happiness and harmony.

I want to share with the Legislature an experience that brought me to South Africa. Markham was one of the centres where people were voting. They were voting in Oakville and Toronto, London and Ottawa. When I arrived around 7:30, there were still four hours of people in the lineup yet to vote.

There you saw people from all over different parts of Africa. They came from Bloemfontein, Standerton, Capetown, Durban, Johannesburg and other South African communities, standing in line together, coloured, white, Asian, going up that line to do something they'd never done before.

They came from as far away as Barrie. There was a Salvation Army lieutenant from Fenelon Falls. You had

a mixture of people from Scarborough, Willowdale. They were all Canadians who have dual citizenship and the chance to participate in what was going on within South Africa.

It was interesting as well to see, at the very end of the line—and members of this Legislature will be impressed at this particular fact—our own chief electoral officer, Mr Warren Bailie. Ontario's ambassador for democratic process across the world was at the end of the line making sure no one else got in if they came after the clock had stopped, when they could be there for their own historic moment to vote in the advance polls.

I saw the identification cards that people had with them, with the little K up in the right-hand corner which meant they were coloured, so if they were on a bus or in a washroom or in a restaurant or on a beach where they shouldn't have been, the police could set them apart. There they were last night, and I'd like to share some of the quotes of the people.

Mrs Sherry of Scarborough, who has lived here in Canada for 26 years, said she felt "over the moon like Bishop Tutu."

Lynton Friedman of Thornhill, 17 years in Canada, called this a "historic moment, yet scary." He didn't know what would happen.

Colin Daniels, who has lived in Markham for three years, said: "I've waited all my life to vote.... A few hours in line means nothing to me."

Natanya Shevel of Thornhill, who has been in Canada for one year, said, "It's wonderful that people who have been waiting their whole life are now taking part in this process."

Les Bulkin of Willowdale, eight years a Canadian, said:

"For myself, I am pleased that the people from South Africa are able to participate in forming the future. With the position there as volatile as it is, I am sure everyone who has left can only hope that things will work out for the country."

Fatima Ebrahim of Thornhill said:

"I am elated and excited to be able to vote. It's the first time I've ever been able to vote in a South African election. Since 1982, when I became a Canadian citizen, I have voted in all Canadian elections."

Selwyn Janit of Thornhill, who has lived in Canada for five years, said that it's the most wonderful experience because he can say he is voting for the first time without conscience.

David Marcus of Thornhill, who has lived nine years in Canada, said:

"From a South African perspective, it is appropriate that one person has one vote. From the sheer numbers, it is also appropriate for black rule. To have stability in South Africa is to have a strong government. It has been unbelievable, the brain drain from South Africa. The highly skilled and educated people who had an impact on the country have left and the leaders there now are there by default."

One final quote from Jay Dayaljee, who is classified as

an Asian in South Africa but now lives in Markham as a Canadian citizen, who said:

"I saw no hope in South Africa. Botha went with the status quo and I knew there would be a power struggle created by apartheid. People need education to bring them up to a standard and to have true equality."

May I say that this gentleman, in Canada for six years, now owns his own house, has launched a successful career, has his own small business, something he could never have done in a lifetime in South Africa.

This new government will have the almost overwhelming task of dealing with the problems of homelessness, unemployment, staggering illiteracy rates in education.

But Canada has played an important role in this long journey to today's election through our sanctions, through diplomacy and through the will of the Canadian people. 1420

Today I would like to do something in this House that is rare for someone from our side of the House. I want to give special commendation to our Premier, who has on this issue stood apart as one strong voice for the people of South Africa. He is not in the House today to hear me say it, but I have to compliment him. Our party has supported him strongly in his efforts to break down these walls of prejudice and hatred.

The Civil War in the United States is a parallel to South Africa. It's a parallel to the move to democracy for a people. I'd like, then, to draw upon the words of Abraham Lincoln in the Gettysburg address of November 19, 1863:

"That this nation, under God, shall have a new birth of freedom and that government of the people, by the people and for the people shall not perish from the earth."

May that be our prayer for South Africa.

**The Speaker (Hon David Warner):** I wish to thank the Minister of Citizenship, the honourable Leader of the Opposition and the honourable member for Markham for those very sensitive and thoughtful remarks on this important occasion.

I wish also to draw members' attention to the fact that the Commonwealth Parliamentary Association, with a strong Canadian presence, has been in South Africa and remains there as election monitors, and following the election will provide post-election seminars for the newly elected members of Parliament. The efforts of your Commonwealth Parliamentary Association you can be most proud of.

#### ORAL QUESTIONS PUBLIC SAFETY

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is for the Solicitor General. It has now been more than three weeks since the senseless shooting at the Just Desserts café crystallized the growing concern about crime and safety. Tomorrow marks three weeks since I urged that those growing concerns about crime and safety be referred to the justice committee of this Legislature so that we could address what actions we as legislators could take to help people feel safe in their homes and in their neighbourhoods. Three weeks, and we are still

debating the agenda for that committee.

I recall that in May 1992, when riots in Los Angeles set off incidents of looting and rioting on Yonge Street here in Toronto, we congratulated the government that within 72 hours the government had taken action and had set up the Stephen Lewis task force. There was a sense of urgency then. But now, even with the Just Desserts killing, with the drive-by shootings in Ottawa, with people in Chatham being concerned about incidents of gang-related violence, there seems to be no sense of urgency.

My question to the minister is: Why was the government willing to act almost immediately in response to the Yonge Street riots and yet you refuse to take any action now? Why will you not deal with these concerns, today's concerns, with that same sense of urgency?

**Hon David Christopherson (Solicitor General):** I reject the suggestion that we haven't taken the type of serious response that the member offers. I was on my feet yesterday in response to the acting leader of the official opposition on exactly the same question and I would respond again the same. On the very day that she offered up the idea that we would talk about referring the matter to a legislative committee, I embraced the idea on behalf of the government and said we were quite prepared to talk about that.

I'm not aware at this point that there's any particular finger-pointing going on as to why there isn't agreement on the agenda. We were very close to an agreement and then some ground shifted. That is not unusual in politics, but I remain adamant that this government and my colleague the House leader are prepared to spend whatever time is necessary meeting with opposition members to put together an agenda that all three parties can live with, that would have us dealing with, in a constructive way and in a meaningful way, the role Ontario can play, recognizing, as the honourable member does, that most of the initiatives are in the hands of the federal government. They have indicated that they are planning to present a package of proposals, and we have indicated that we are prepared to receive those proposals and respond very quickly and very effectively.

**Mrs McLeod:** I do remember that the minister embraced my suggestion with some enthusiasm. That's why I'm so frustrated that three weeks later there is still no agreement about the agenda. I simply don't believe there is a reason to continue to stall in getting on to discuss issues and to take important action.

Yesterday the Premier accused my colleague who raised this issue in the House, my colleague the member for Renfrew North, of playing politics in continuing to raise this issue. I cannot understand how we can be accused of playing politics in raising an issue which is in the forefront of people's minds, one of their greatest concerns. I simply don't believe it is playing politics to urge this government to take immediate action on such an important issue.

I remind the minister and the government that we as legislators have an obligation to do everything possible to make people feel more safe. I urged that this issue be referred to committee because I believed we needed to



take urgent action. The fact that we have not been able to agree on an agenda, that it is three weeks later, does not take away from the fact that urgent action is still needed.

We have made one proposal for a specific action to regulate ammunition sales. The police say it's a good idea, and it has widespread public support. Will you take at least this one step that could be accomplished right now and pass this bill making it more difficult to buy ammunition, for criminals to get bullets?

**Hon Mr Christopherson:** It really does leave one wondering whether or not the original offer and the way it was meant was truly sincere, given that what I'm hearing here is very similar to what I received last week from the Tories, and that is the candle being burned at both ends.

On the one hand, the opposition parties have specific issues they want to talk about in committee, and we are having those discussions in an attempt to reach an agenda. As far as I know, they're still happening. I haven't received any official notice that those discussions are finished and that no one is any longer interested in a legislative committee. Yet honourable members in the opposition parties rise in their place and ask: "Why aren't you taking action on the very area you've asked us to work with you on?"

With all due respect, either the opposition parties want to deal with these issues in a non-partisan legislative fashion or they don't. If you don't, then this government will move unilaterally on those issues. I have said they are good ideas. I've said we're prepared to look at them. If you don't want to talk about them in committee any more, for whatever political agenda that suits, then please rise and say so, have your House leader confirm it to our House leader, and we'll get on with doing it.

**Mrs McLeod:** Mr Speaker, exactly.

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mrs McLeod:** That is exactly the issue. We want to deal with the issues that matter. We want this government to be urged to take action. We did not propose the referral to the committee so that we could spend three weeks negotiating what would be on the agenda, negotiating what we would be allowed to talk about. We certainly did not refer it to committee so that the minister could take whatever time was necessary to decide what he would talk about.

*Interjections.*

**The Speaker:** Order.

**Mrs McLeod:** The time necessary is for ever, and we are never going to get on with dealing with the issues at all. That was not the purpose of the referral to the committee. There are a whole range of actions that could be taken to restore people's sense of safety in their communities. It is quite clear that the minister has no support from the members of his cabinet or his caucus to deal with these important issues.

*Interjection.*

**The Speaker:** Order. The member for Chatham-Kent, please come to order.

*Interjection.*

**The Speaker:** The member for Sarnia, please come to order.

Would the leader place her supplementary, please.

1430

**Mrs McLeod:** I believe that we need to stop the endless wrangling over the agenda so that we can get on with dealing with the issues. We continue to put forward the range of actions that we believe could be taken. We have suggested and proposed legislation that restricting bullets is one example. We have called for clear directives on sentencing regarding violent crime and gun-related offences. We believe we need to deal with these issues.

We understand that the government doesn't want to deal with community policing, we understand that the leader of the third party doesn't want to deal with ammunition control, and we are concerned that if we can't agree on an agenda there will be no action at all.

Minister, will you assure us today that we will get past the wrangling and get on to action? Do I have your commitment that we can at least sit down and talk about community policing and the control of ammunition and sentencing issues?

**Hon Mr Christopherson:** I reiterate again, very sincerely, in the interest of trying to reach back to the offer that she originally made and the tone, this government is prepared to sit down and talk about an agenda that all three parties can agree on. Any suggestion that we haven't been prepared to do that does not reflect the history of what has happened in the last three weeks, and the honourable member is sitting right beside the person who can give her those facts if, indeed, she needs them.

If they don't want to talk about these things, then I wish they would say so. As I've said earlier, we will move on these issues. This cabinet, this caucus is committed, and has been, to the issue of public safety and we will continue to do so whether or not we get your support on how we do it.

**Mr Murray J. Elston (Bruce):** On a point of personal privilege, Mr Speaker: The member has represented me as having stood in the way of a broad discussion of the topics on crime. He has suggested that we have been holding up the discussions. In fact, that is not true.

On another point of order, Mr Speaker: The member for Ottawa Centre—

*Interjections.*

**The Speaker:** Order.

**Mr Elston:** —was heard to say, and I heard her perfectly clearly on this side, to call my member, the leader of our party, a fraud. I think you should ask that member for Ottawa Centre to withdraw because she is bringing into very high disrepute—

*Interjections.*

**The Speaker:** Order. I ask the House to come to order.

*Interjections.*

**The Speaker:** Order. To the member for Bruce, he raises two points. On the first one he does not have a

point of privilege, which he will know, but indeed there is certainly a difference of opinion and that's quite evident.

On the second point, if there was unparliamentary language used I did not hear it. However, as is the practice, if the member identified, the member for Ottawa Centre, believes that she did use unparliamentary language, she has an opportunity to so withdraw those remarks.

**Hon Evelyn Gigantes (Minister of Housing):** Mr Speaker, if the House leader of the official opposition believes—

*Interjections.*

**The Speaker:** Order.

**Hon Ms Gigantes:** —that it was unparliamentary, I withdraw it.

*Interjections.*

**The Speaker:** Because of the shouting I could not hear what the member said. It is now time for the second question.

#### FIRE SAFETY

**Mrs Lyn McLeod (Leader of the Opposition):** I'll refrain from further rebuttal and come back to the issue tomorrow, because my second question is indeed for the member for Ottawa Centre, the Minister of Housing.

Minister, this afternoon your legislation legalizing basement apartments is going to be going through the final stages. This afternoon is the last chance that we have to amend this legislation. This bill, and you know it well, does nothing for the safety of tenants living in existing basement apartments and this year already we have seen three tragic fires resulting in five deaths.

My colleagues and I have put forward amendments which we believe would provide protection for tenants and would help to prevent more tragedies from occurring. You refuse to consider them. I still don't understand how you can steadfastly refuse to even consider these amendments, and one last time I ask you if you will explain to me why you refuse to take action that would clearly protect against future tragedies.

**Hon Evelyn Gigantes (Minister of Housing):** I withdrew earlier comments about the Leader of the Opposition. However, I recall now why I felt impelled to use a word in a way that the House leader for the Liberals suggested was unparliamentary.

The tone and the accuracy of what the Leader of the Opposition is saying proves once again that they play with issues like this.

*Interjections.*

**The Speaker (Hon David Warner):** Order. Minister.

**Hon Ms Gigantes:** The Leader of the Opposition should know that the games played yesterday by the opposition mean that Bill 120 won't be dealt with this afternoon, or maybe she hasn't talked to her House leader at this time.

Further, she also knows that until apartments in houses are legal in this province, they cannot be safe. If she wishes to keep them illegal, I wish she'd be honest enough to say that.

*Interjections.*

**The Speaker:** It will be of great assistance in trying to establish an appropriate decorum in the House if language which is provocative was not used. I would ask the leader to place her supplementary.

**Hon Ms Gigantes:** On a point of order, Mr Speaker: I truly feel that when a man representing a riding in this House expresses anger you understand that, and I hope you will understand it when a woman does.

*Interjections.*

**The Speaker:** Order. Would the leader place her supplementary.

**Mrs Margaret Marland (Mississauga South):** On a point of order, Mr Speaker: As a woman in this House, I would like to dissociate myself from the insinuations just made by the Minister of Housing.

*Interjections.*

**The Speaker:** Order. It was not my intention to upset anyone, but I would appreciate it if the House would come to order and if the Leader of the Opposition could now have an opportunity to place her question.

1440

**Mrs McLeod:** Thank you, Mr Speaker. I have no doubt that you will understand when I, as the leader of the party, who just happens also to be female, take offence that this entire debate has just occurred.

If this minister would prefer to deal with my tone rather than deal with my concern, I would then ask her to deal with the tone of the letter from the coroner who happens to be investigating one of the three basement apartment fires that resulted in deaths in the last four months.

He wrote to you, Minister, because he has great concerns that your legislation will not prevent more of these tragic events from occurring. He's telling you what we have tried to tell you and what fire chiefs from across this province have told you: that simply legalizing basement apartments will not make them safe.

Our amendments, Minister, would require existing basement apartments to be registered. They would give the municipalities the tools to ensure that existing units, those units you are about to make legal, would meet fire code requirements. That's the issue we are talking about and that's the concern we keep raising. Unless you accept our amendments before that legislation is passed, it will be too late.

The coroner pleads with you to amend the legislation before it's too late. Will you accept those amendments and will you fix that legislation before it is passed into law and tenants are left without protection?

**Hon Ms Gigantes:** Associated with Bill 120 are changes to the fire code which will provide for fire separations, for adequate fire alarm systems, for adequate means of escape from apartments in houses. In fact, the recommendations of more than one coroner's jury over the years have been very helpful to those officials gathered together by the fire marshal of Ontario who proposed the changes to the fire code which will come into effect with passage of Bill 120.



I will say again to the Leader of the Opposition, she has suggested that we are suggesting that passage of the bill and removal of the zoning question from discussion of safety of apartments in housing is somehow going to make every apartment safe. It will not, and what will be required is to have apartment owners and apartment dwellers know they are in a position—

**Mr Steven W. Mahoney (Mississauga West):** You don't care.

**The Speaker:** The member for Mississauga West.

**Hon Ms Gigantes:** —where the apartments are no longer considered illegal because of zoning and they are in a position to seek help to bring apartments up to standard. That is the only way we are going to have safety, and to insist that we pass from a situation where zoning makes them illegal to one where lack of registration makes them illegal does not help, and the Leader of the Opposition knows that.

**Mrs McLeod:** This might once have begun as a debate about zoning; it is now a debate about safety, and I cannot make this minister understand that.

Minister, last year alone, 30% of basement fires just in Mississauga involved basement apartments. It is the people in those situations, living in those existing units, who are going to be left vulnerable when you pass your legislation. They are left unprotected.

This is not about politics. This is about fire chiefs who want to prevent disastrous accidents from occurring. This is about a coroner who is investigating a recent death and who says to you that he doesn't believe your law will prevent another one from occurring. That's what this is about. Our amendments are simple. They're simple to implement. We want to see a registry for existing units. We want municipalities to have the power to ensure that those existing units meet the fire code requirements.

If you will not pass these amendments, if it's because they come from an opposition party, even though these are broadly supported, even though a coroner is pleading with you to pass these amendments, will you please tell us what you're going to do to protect the tenants who now live in existing basement apartments which you are about to make legal and which are not safe?

**Hon Ms Gigantes:** The situation currently is that there are over 100,000 apartments in houses in the province of Ontario which are called illegal because of their zoning. Bill 120 changes that situation. It then allows the process in which property owners, municipal inspectors, fire officials and tenants can address the question of bringing apartments in houses up to safety standards.

**Mr Mahoney:** Wrong. You were right to a point; you're wrong.

**The Speaker:** Order, the member for Mississauga West.

**Hon Ms Gigantes:** That is the only way we're going to achieve safety.

**Mr Mahoney:** She doesn't know what she's talking about.

**The Speaker:** The member for Mississauga West,

come to order and allow the minister to complete her response.

**Hon Ms Gigantes:** There is no magic wand, and the Leader of the Opposition should not pretend there is. It's going to take work to undo years of a situation in which an underground economy was created in basement apartments, side apartments, attic apartments, many of which are unsafe.

We want to get to work on that. We're giving municipalities more power for inspection. Fire officials know the kind of code they now will be armed with. It's going to mean the gradual, step-by-step improvement of health and safety standards for tenants and for property owners in this province.

#### ASSISTED HOUSING

**Mr Michael D. Harris (Nipissing):** My question is to the Minister of Housing. Minister, the Toronto Star reported this morning that you have recently written off \$10 million in loans to the Supportive Housing Coalition. Why?

**Hon Evelyn Gigantes (Minister of Housing):** I believe the Star report was accurate and the way the leader of the third party has expressed it is not. There were two loans to the Supportive Housing Coalition that were written off. They were written off because since the period going back to 1988, they had not produced affordable housing. The likelihood of their being able to produce affordable housing on the sites involved, which were under a program called the land-loan guarantee program, looked to be very bad. I decided that the time had come to call it quits with those projects.

**Mr Harris:** The question was, they wrote it off, and I asked why. So I was quite right in my question. Thank you very much, Minister.

The taxpayers of Ontario spend over \$1 billion a year on government-subsidized housing and they deserve to know that their money is being spent appropriately. For the last five years or so, we have been raising these issues, back to the Patti Starr days, of project after project after project where taxpayer dollars have been wasted, where there has been mismanagement of taxpayer dollars rampant and rife in the government-assisted housing programs; case after case, property after property, where taxpayers are being gouged. This morning was just another example in the long litany of waste of taxpayer dollars, dollars that should be helping those who need affordable housing.

What has been revealed during the past week doesn't of course give them much comfort that anything is changing. We do not know just how far the recent rot that has been uncovered at just two agencies extends. Therefore, Minister, will you support terms of reference for the public accounts committee inquiry that include all government-funded housing agencies in this province?

**Hon Ms Gigantes:** The leader of the third party alleges that over \$1 billion is currently spent in subsidizing what he calls subsidized housing. If he's talking about the non-profit program, the amount of provincial dollars currently spent is \$575 million annually. I wish he would get the figure straight when he talks about it. That

supplies housing in an affordable way to about 120,000 households currently.

It's a very good investment. It's a good investment because now is the time when people need affordable housing. People have never had a greater need in this province. It's a good investment because currently we're providing about \$2.6 billion to allow people who receive social assistance to rent apartments in the private market. I hope he will take that into account too when he next talks about this subject. We spend far more on shelter allowances, a rental subsidy program, if you will, than we do on non-profit housing, and we don't get any new affordable housing for it.

If the leader of the third party was aware, the public accounts committee of this Legislature has been going through a review of the non-profit housing program of the Ministry of Housing for several months now, and that review will continue in terms of the reports back by the ministry and discussions with members of the public accounts committee. I understand that the schedule is being framed up as we speak. The discussion has gone on in the public accounts committee about when the ministry will next be coming to discuss the program.

1450

**Mr Harris:** What the public accounts committee is investigating is a narrow scope of the ministry and the ministry involvement that the auditor has identified, not the groups, where all the fraud, we now find out, the abuse, the waste and the mismanagement, have been taking place.

Minister, I've asked a page to deliver a proposal to you. Too many times we have seen your government and then the predecessor government use its majority on legislative committees to cut off debate and effectively muzzle the opposition in its inquiries and investigations. I have sent over a proposal for terms of reference for the public accounts committee to get to the bottom of what appears to be a far-reaching problem in government housing in Ontario. It includes giving the committee the power to requisition annual reports, financial statements and all other documentation relating to the spending of housing agencies.

Are you prepared to support these terms of reference for the inquiry that's going to take place in public accounts so that we can get to the bottom of the mismanagement and the waste of taxpayer dollars rampant in the government housing programs of this province?

**Hon Ms Gigantes:** The non-profit housing program in the province of Ontario has existed through three governments, not just two. It was begun in fact by a Conservative government in this province, and it was to replace a program which had outgrown the style of society, which was the Ontario Housing Corp public housing building program.

It's a program, the non-profit program, which provides a financing mechanism for non-profit, community-based groups to be able to undertake the development and management of mixed income developments of housing, which provides some rent-geared-to-income assistance for people most in need of housing in Ontario.

It is not fair and he has really no right to be able to suggest that the program is a program that is replete with fraud. There have been incidents in which some agencies—

**Mr David Turnbull (York Mills):** Of course he's got a right. He was elected. What a stupid comment.

**The Speaker (Hon David Warner):** Order, the member for York Mills.

**Hon Ms Gigantes:** —which this government does not own and which are accountable, not to him and not to this government but to their non-profit incorporated boards—

**The Speaker:** Could the minister conclude her response, please.

**Hon Ms Gigantes:** Those agencies exist in the community—he may not like it—but in fact they are not organs of government. Our responsibility to the public in Ontario is to make sure that our contractual arrangements with them are accountable. That is what we will do and that is what we have proposed the public accounts committee feel free to do in the case of Houselink, the Supportive Housing Coalition and indeed the whole non-profit program.

**The Speaker:** New question, the leader of the third party.

**Mr Harris:** I assume that answer means you will give direction to your majority to stifle the opposition on the committee.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Michael D. Harris (Nipissing):** My second question is to the Minister of Health.

Yesterday, AIDS Action Now brought its frustration with your government into this chamber, and today, Minister, I want to bring that frustration on to the floor of the Legislature. Joining us in the members' gallery is Brian Farlinger, co-chair of Aids Action Now.

Minister, we are all aware of the financial pressures on your ministry. What that means is that you must set priorities.

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Harris:** Your inaction, for example, on health card fraud alone costs 10 times more in waste than AIDS Action Now and others are requesting for treatment of catastrophic illness. Over the din and yelling and screaming and ranting of your backbench members, Minister, will you tell Mr Farlinger and others if drug funding for catastrophic illnesses will be a health care priority in the budget to come down next week?

**Hon Ruth Grier (Minister of Health):** As I'm sure the leader of the third party is aware, I am not in a position to discuss what will be in next week's budget, but I am very interested to have the indication from him that funding for AIDS, drugs for people with AIDS, is a priority of him and of his party.

Let me say to him that for this government, the funding of the Ontario drug benefit program has been a priority. We spend over \$1 billion a year on a program that provides free drugs to seniors, to people on social



assistance and to people with catastrophic diseases in the most generous drug program of any province in this country.

I know the needs of people with illnesses who have catastrophic drug costs, and as we have expanded our drug programs, as we have done, we have also tried to manage them in a way that prevents the 16% growth in the cost of the program that occurred between 1983 and 1993. Of course, establishing new programs is difficult within that climate, but certainly if we find that we can do that, priority for AIDS drugs is one to which I'm very much committed.

**Mr Harris:** We've had several other announcements come from you and other ministers that have obviously had a higher priority. You would agree with me, from your comments, that the priority for persons living with AIDS is access to treatment to improve their quality of life.

In January 1993, the former Minister of Health, Frances Lankin, told the *Toronto Star* she hoped to have a comprehensive policy in place before your government's mandate expires. It is now over a year later and we have seen nothing. We have heard nothing interim. We have heard nothing from you or from the former minister or from the government.

Minister, for many members of Mr Farlinger's coalition—

*Interjections.*

**The Speaker:** Order.

**Mr Harris:** —time is not on their side of living up to the commitment that your former Minister of Health made. Could you tell us when you plan to live up to that commitment?

**Hon Mrs Grier:** I'm surprised that the leader of the third party is not familiar with the discussion papers, the reports that we have done, the discussions we have had with a number of groups about reforming the drug benefit program.

I hope he also is aware of the commitment to providing treatment for people with AIDS, again where this province has shown leadership across the country, whether it be the Wellesley primary care clinic, the opening of a new clinic and expanded clinic at the Toronto Hospital, clinics in Windsor, in Ottawa, in Hamilton, the provincial advisory network that we've set up, the anonymous testing program. We spend \$40 million a year, and that excludes doctor's fees, hospital services and drug costs, on helping people with AIDS deal with their problem.

I would remind the leader of the third party that it was his party, at the federal level, that brought in a bill known as C-91, legislation that increased the price of drugs exponentially to all of the provinces and has made it ever more difficult for provinces, no matter how much they want to do so, to live up to their expectations of what they would be able to do.

1500

**Mr Harris:** Yes, Minister, I'm aware of the litany of committees, of reports, of recommendations. Yes, I'm aware that constantly when you're embarrassed by

inaction, you point the finger anywhere around the world, to any individual, somewhere other than right here at home in the Ontario Legislature, in the Ontario government and the lack of priorities that you, your ministry, your cabinet and your Premier have had in this area.

In November 1991, your government set up the Ontario Advisory Committee on HIV/AIDS, I might add to the unanimous support of this Legislature and all members of the House. Its purpose was to review programs, care, regulations and other issues affecting victims of this deadly disease. Minister, that group has been working for well over two years, yet you have taken no action in any of the areas that it has been addressing and asking you to take action in.

I guess, Minister, I have to ask you, after this period of time, if the purpose of the committee is simply to study, to assess facts, to have more committees, to have reports, if it's anything more than window dressing to hide the fact that you do not have a policy yet. You don't have a policy to address the concerns—

**The Speaker:** Could the leader conclude his question, please.

**Mr Harris:** —of victims of AIDS in Ontario, nor have you set any deadline for recommendations from this committee.

I am asking you, Minister, will you set such a deadline? Will you set a commitment that I assume would be supported by all members of this Legislature to take action now?

**Hon Mrs Grier:** I'm very interested to know of the leader of the third party's interest in the work of the AIDS advisory committee. I don't know whether it is a new-found interest, but let me assure him that in fact there has been extensive work done as a result of the recommendations and the work of that advisory committee.

We spend, as part of our special drugs program, \$9 million a year in order to provide drugs for people with AIDS. I recognize that there is more that could be done. I recognize that there are new drugs that come on the market that would help people live with AIDS.

On the other hand, as our government wrestles with trying to deal with the enormous fiscal problems of this province, we have to manage our funds as carefully as we can. We would all like to say that we could continue a 16% growth in the Ontario drug benefit program; we're not able to do that.

The management initiatives that we have taken and that have enabled us to expand the program, not as much as we would like, but to expand it and still live within our means, are ones that I think have significantly helped people living with AIDS.

#### ASSISTED HOUSING

**Mr Sean G. Conway (Renfrew North):** I have a question for the Minister of Housing. She has confirmed that the Ontario government and taxpayers have had to write off \$10 million worth of costs incurred with two projects sponsored by the Supportive Housing Coalition in the city of Toronto.

Can the Minister of Housing confirm that there is a

third project which has had to be abandoned, this project at 55 Kildonan Road in the eastern portion of the city of Toronto, another project supported by the group in question, Supportive Housing Coalition? Can she confirm that third project has been abandoned and can she indicate the costs involved there?

**Hon Evelyn Gigantes (Minister of Housing):** It is correct that a Cityhome project—it was not a Supportive Housing Coalition proposal but a Cityhome project—at 55 Kildonan Road was in fact written off at the end of last year. The amount of that write-off was for—I don't find the number right here in front of me. I'll search for it while he asks his supplementary question.

**Mr Conway:** The beat goes on. The Provincial Auditor has pointed out the problems in this area. My information is that the Kildonan project comes at a very considerable cost to the Ontario taxpayer.

Let me ask this question: The audit on the Supportive Housing Coalition which was made available to your government in March 1992 makes it plain that no additional allocations from the Ontario government should be made to the Supportive Housing Coalition unless and until the myriad of problems that are identified in this audit are cleaned up. Can the Minister of Housing assure this House that no further allocations have been made in the interval between March 1992 and this date to the Supportive Housing Coalition for any of these kinds of projects?

**Hon Ms Gigantes:** In fact, the Supportive Housing Coalition projects to which he referred earlier are projects which may proceed on another site. What we did was write off the land-loan acquired sites because the costs associated with those sites were not acceptable. They of course were acquired under the Liberal government of which he was a member.

#### HOUSING LEGISLATION

**Mrs Margaret Marland (Mississauga South):** My question is to the Minister of Housing. We have just gone through a month of public hearings, at the expense of hundreds of thousands of dollars in committee, reviewing Bill 120. The Minister of Housing has tabled amendments today which reverse motions that were passed in that committee, bearing in mind, of course, that that committee has a majority of government members on it.

What I would like to ask this minister, because in opposition I certainly know that she believed in democracy, she believed in representation of the people and she believed in the committee system, is how she can defend spending thousands of dollars in this sham of public hearings for a month, only to reverse one little step that was made to amend the legislation to respond to the public input that you invited.

**Hon Evelyn Gigantes (Minister of Housing):** All the public input that was made to the committee was taken very seriously by me personally and by the Ministry of Housing people who have worked to develop Bill 120. It is certainly not without precedent in this Legislature that an amendment passed in committee will not be referred or transferred into amendments in the Legislature when we deal with it before third reading. This is quite normal

and I'm sure if the member from Mississauga South searches her mind, she'll recollect many other incidents of that kind.

**Mrs Marland:** Obviously, this minister's idea of what is normal and what we think is democracy are totally at odds with each other.

This minister does not defend a process that has a history in this place. The very fact that this minister is willing to take away the rights of voting members on a committee, a standing committee, a committee to which they appoint their own members, a committee hearing at which their own members voted on and passed a very important motion which meant that a particular aspect of a program in connection with care homes, a program which is funded by two of the government ministries, will now be in jeopardy—this minister stands in this House today and defends that process, a process that her ministry, the Ministry of Health and the Ministry of Community and Social Services funded.

Madam Minister, I would like to ask you why you are happy to see those programs which are affected by a six-month limitation on care homes destroyed by your reversal of that motion.

**Hon Ms Gigantes:** I'm not sure exactly what the member for Mississauga South is referring to in terms of amendments, but I'd suggest to her that throughout the consideration of Bill 120, all sides have looked at the issues involved, particularly as they respect care homes, to make sure that the programs that are offered in the very many excellent care homes that exist in Ontario are continued.

#### 1510

Those programs address the needs of people who may be elderly, sometimes quite fragile elderly people, people who have disabilities, either physical or in terms of their development, people who are psychiatric survivors. We have discussed these issues very carefully to try to ensure that all the matters that surround the questions about service in care homes in Ontario are addressed satisfactorily. We want to see the services in Ontario's care homes maintained and improved, and that is one of the very strong purposes of Bill 120.

Mr Speaker, while I'm on my feet, could I correct the record? I said in answer to a question from the member for Renfrew North that the Kildonan site was not a Supportive Housing Coalition site. I was neglecting to remember that it was originally a site proposed for development by the Supportive Housing Coalition. It was subsequently taken over as a project by Cityhome.

**The Speaker (Hon David Warner):** The Minister of Finance has a reply to a question asked earlier by the honourable member for Etobicoke West.

#### GO TRANSIT

**Hon Floyd Laughren (Minister of Finance):** The member for Etobicoke West asked the Premier a question yesterday dealing with GO Transit refinancing, and the Premier, in an act of awesome generosity, referred the question to me.

I should tell the member for Etobicoke West that the province is not and never intended to get out of paying



any taxes as part of the GO Transit refinancing transaction. Let me explain that all provincial governments and their agencies, as well as the federal government, are currently exempt from withholding tax for payments on international debt financing transactions. As this transaction is a refinancing of GO Transit equipment, no withholding tax is applicable and the existing withholding tax exemption is sufficient to look after this particular transaction.

These types of transactions are also quite common in the marketplace, including governments, and we are not the only ones doing them. In fact, the Quebec government has proceeded with two similar transactions in the last couple of years.

Perhaps I could await a supplementary to go on before I explain any further to the member.

**Mr Chris Stockwell (Etobicoke West):** There are a couple of questions I would like to ask. Why then did your ministry request that the federal government exempt it from this specifically? A request was in fact made to the federal government, as I understand it, through your ministry.

Second, you say you're exempt. Tell me something, sir. Would the Bermudian company Asset Finance Bermuda, which bought it and then formed a company and flipped it—

**Hon Gilles Pouliot (Minister of Transportation):** You don't mean that.

**Mr Stockwell:** Well, that's as I understand it from your ministry again, that they formed a company, passed it through Asset Finance Bermuda, passed it through to this company that they formed immediately upon closing. Why then did that take place? As I understand it, sir, with all due respect, the ministry officials told me that subject to those two companies forming the way they did within Bermuda, they then became exempt from the withholding tax that would have been applicable. Had they not done that, it would have been applicable to the Bermudian company, Asset Finance Bermuda.

Further to that, sir, when I questioned—

**The Speaker (Hon David Warner):** Could the member place his supplementary, please.

**Mr Stockwell:** Well, there were a couple of questions there. When I placed the call to your ministry officials, I asked them, "Would this particular tax have applied had they not structured it this way?" The response I got was yes, and that in fact the federal government didn't give them a clearance that it wouldn't apply.

The question is: Did the federal government say, "No, this doesn't apply to tax"? And why did they structure in this way? What were they avoiding if it were not the withholding tax?

**Hon Mr Laughren:** I think that's a good question. The member for Etobicoke West is quite correct. There was an inquiry made of the federal government about the whole question of withholding tax exemptions on these kinds of transactions. I'm not a tax lawyer myself, but my understanding is that if it had been a sale and leaseback arrangement, there might have been a withholding tax, but this was a sale and sale back to the Ontario

government. The reason for doing it that way was simply that it's the best way for us to manage the whole transaction, and I might add, save the taxpayers of this province money without costing the federal treasury any money whatsoever at the same time.

#### MEMBER'S COMMENTS

**Mr Gary Malkowski (York East):** On a point of privilege, Mr Speaker: The member for Leeds-Grenville just made inappropriate comments to one of the interpreters while I was leaving the House, and I would ask him to withdraw that, please.

**The Speaker (Hon David Warner):** The Speaker's at a loss in that I did not hear the alleged remark. If the member so identified believes he said something inappropriate, then he has an opportunity to withdraw the remark.

#### OHC CHAIR

**Mr Joseph Cordiano (Lawrence):** My question is for the Minister of Housing. In 1992, Minister, you decided to take the position of chair of the Ontario Housing Corp from a part-time job to a full-time job paying \$90,000 per year. You also decided to appoint your close personal friend Nancy Smith to this position. In addition to being a close friend of the minister, Nancy Smith is also the individual who found the minister a job after she was defeated in 1987. I suppose this is the minister's way of helping out the economy, by creating full-time jobs out of part-time jobs for her friends. Minister, do you think the public can call this appointment anything but pork-barrel politics?

**Hon Evelyn Gigantes (Minister of Housing):** I wonder just how mean-minded this kind of stuff can get. This is absolute nonsense. Nancy Smith was a member of city council in the city of Ottawa when I applied in 1982 to be hired by a volunteer committee working on behalf of the city council of Ottawa. I was among many candidates. The volunteer committee selected me.

When it came to seeking to fill this important post of the Ontario Housing Corp on a full-time basis, which our government felt was warranted given the neglect of previous governments for the Ontario Housing Corp's valuable portfolio and very important human communities in this province, we sought advice from many sources and we interviewed several excellent candidates. Nancy Smith was picked by a committee on which I did sit but on which I certainly was not a majority vote. I was among other people on a committee, and I was one vote on that committee. The other people on that committee unanimously chose Nancy Smith.

**Mr Cordiano:** It's interesting, because on top of the \$90,000 salary and a newly created full-time position, Nancy Smith also spent some \$50,000 on transportation and accommodation over the past two years.

*Interjection.*

**The Speaker (Hon David Warner):** The member for Durham West, come to order.

**Mr Cordiano:** This is why this is important, because taxpayers are shelling out \$1,100 a month to rent a luxury apartment and over \$11,500 per year to travel to and from her home for Nancy Smith. She lives in Ottawa.

People are sick and tired of hearing about the lack of accountability in the Ministry of Housing, in the way things like the Houselink non-profit project are spending money that just gets blown out the window, and they're tired of hearing about the government spending money on its friends.

Don't you think it's time to clean up your act and become more accountable to the public for the very few dollars you have to spend in the Ministry of Housing? After all, the money isn't endless, and you should be more circumspect in the way you spend your money. This is what we're saying.

1520

There's a lot of expenses here for this person, Nancy Smith, who is spending this kind of money in her position going back and forth from Ottawa. That's a lot of money for taxpayers to spend each and every year.

**Hon Ms Gigantes:** Could I remind the member that the appointment of Nancy Smith was reviewed by the legislative committee that reviews appointments. It was the view of that committee that Nancy Smith was an entirely appropriate appointment. Furthermore, at that stage, I know of no questions that were asked by members of the committee—and I've read the Hansard—about the terms of her contract.

She does not earn \$90,000; she was appointed at less than that. Her salary has been subject, as all of ours have, to the social contract. She has indeed been given travel expenses in lieu of selling a house and moving a household to Toronto. Once the equivalent of moving a household, under Management Board guidelines for an appointee of the nature of that position, has been filled, there will be no more expenses permitted.

The member has his facts wrong. The member is a member of a party which had ample ability to question all the matters he's raised in the appointments committee—

**The Speaker:** Would the minister please conclude her response.

**Hon Ms Gigantes:** —and he's being terribly silly in his accusations.

**The Speaker:** The time for oral questions has expired.  
ASSISTED HOUSING

**Mr Sean G. Conway (Renfrew North):** On a point of privilege, Mr Speaker: I regret to inform the House—and I seek your guidance—that the Minister of Housing I believe has inadvertently misled the House about the property at 55 Kildonan.

I have just spoken to the project manager at Cityhome, a Mr R. Gauzitis. Actually, my staff has just spoken to him. He has confirmed to my staff that in fact that never became a Cityhome project, that there were some discussions, but in fact it remains with its sponsor, the Supportive Housing Coalition.

My question remains: Is it true that the province there as well is on the hook for, I believe, \$3.5 million to \$3.7 million worth of costs?

**The Speaker (Hon David Warner):** First, to the honourable member, I know that with his respect for

Parliament, he would not want to use unparliamentary language. Indeed, earlier on there was a discussion around the very point he raised, and the minister at that time did rise to correct the record. The member does raise an important point. However, he knows he should not use the term "misled the House." I would ask the minister now if she has a reply to the concern raised.

**Hon Evelyn Gigantes (Minister of Housing):** I will verify the situation. It may be the case that discussions which I had assumed had concluded with Cityhome acquiring the project did not conclude there. I'll be quite happy to report to the House on that. The fact is that the property was not approved as a project. Therefore, I think all the information he was seeking has been provided, except inasmuch as I can't confirm at this stage the exact situation with the proposal itself.

#### MEMBERS' COMMENTS

**Mr Gary Malkowski (York East):** On a point of order, Mr Speaker: I'd like to ask for your guidance when a member of the Legislature is harassing my interpreting staff by saying, "She earns \$60,000; she can hurry up." I would ask for your guidance with this.

*Interjections.*

**Mr Bob Huget (Sarnia):** On a point of order, Mr Speaker.

**The Speaker (Hon David Warner):** Order. Would the member for Sarnia take his seat, please.

**Mr Huget:** Point of order.

**The Speaker:** Would the member for Sarnia please take his seat. If he has a point of order, I will hear him.

**Mr Huget:** Withdraw.

**Mr David Turnbull (York Mills):** I will withdraw.

**The Speaker:** Order. I can only deal with one point of order at a time, and I am asking the member for York Mills also to take his seat.

First, the member for York East rose on a point of order. I appreciate the concern which he has brought to my attention. I must say to the member that I did not hear the words which he alleged to have been spoken. Earlier on, the member raised a similar point of order, to which I offered the member for Leeds-Grenville an opportunity to withdraw the remarks if he believes he made unparliamentary remarks. He chose not to do so.

All I can ask is that members always try to use language that is courteous and not intemperate in any way, nor demeaning to any individual in the House. All members are deemed to be honourable and I trust they will abide by that title that is given to them, "honourable members."

The member for Sarnia had a point of order.

**Mr Huget:** I do, Mr Speaker, but the member for York Mills has indicated he wishes to withdraw a remark. If he does so, I don't have a point of order.

**Mr Turnbull:** Yes, Mr Speaker, I wish to withdraw my comment.

**The Speaker:** I appreciate it.

**Mr Malkowski:** On a point of order, Mr Speaker: I'm asking for your guidance in this when a member harasses



a member of the interpreting staff. I'm asking for your guidance when another member is harassing the interpreting staff. I need your guidance here.

**The Speaker:** The member has made a very serious allegation. On the one hand, I cannot assist him directly because I did not hear the comments he refers to. However, I take the member's concern seriously. I would suggest that the member has a number of alternatives available to him, one of which is to take his concerns to the Legislative Assembly committee; second, perhaps to discuss this matter directly with the member for Leeds-Grenville; or third, to request his House leader to raise this matter with the other House leaders.

Finally, I can say to the member that always, whenever there are intemperate remarks made or unparliamentary language used in the House, I deal with them, but I cannot deal with remarks that I do not hear. I understand full well the deep concern which the member expresses.

#### PETITIONS

##### EDUCATION PROGRAM

**Mr John C. Cleary (Cornwall):** I have a petition signed by more than 850 people from my riding and all over eastern Ontario who are concerned about cutbacks for funding of the Special Program Opportunities for Knowledge in the Educational System, or SPOKES. The majority of these signatures represent students in the program. The petition reads:

"We, the undersigned, implore you to reconsider your cost-cutting strategies. We urge you to reinstate funding for the program at 100% so that it may continue to meet the needs of the consumers it serves."

I've already contacted the Minister of Education and Training on this matter and I hope he will soon respond. I have also affixed my signature to this petition.

##### FIREARMS SAFETY

**Mr Bill Murdoch (Grey-Owen Sound):** I have a petition to the Legislative Assembly from the Ontario Federation of Anglers and Hunters:

"Whereas we, the undersigned, strenuously object to the Ministry of the Solicitor General's decision on the firearms acquisition certificate course and examination; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearm owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

##### TOBACCO PACKAGING

**Mr Larry O'Connor (Durham-York):** I've got a petition to the Legislative Assembly of Ontario in support of plain packaging of tobacco products.

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering script, size of writing or markings, and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most effective method of protecting the Canadian public;

"Therefore we, the undersigned, hereby petition the Legislative Assembly as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I affix my signature to this in full support.

1530

##### HOUSING LEGISLATION

**Mr Gilles E. Morin (Carleton East):** I have a petition that comes from the residents and family members of Bearbrook Court Retirement Residence in Gloucester:

"We are consumers who will be directly affected by Bill 120.

"Whereas this government has ignored thousands of letters and postcards sent in 1992 opposing the concepts of this bill by ourselves and other seniors in other retirement residences across Ontario; and

"We have been effectively denied the opportunity for a direct oral presentation to this committee by the time constraints you have imposed; and

"We feel strongly that our residences should be regulated under the Ministry of Health or Community and Social Services and definitely not under housing legislation; but

"We nevertheless realize you intend to use your majority in the Legislature to pass this bill despite the objections of consumers."

The petition goes on. I am very glad to affix my signature to this petition and I approve totally of its content.

##### FIREARMS SAFETY

**Ms Jenny Carter (Peterborough):** I have a petition to the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the Ontario

Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"I/We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

This is signed by about 60 people from different parts of Ontario.

**Mrs Joan M. Fawcett (Northumberland):** I have a petition to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to the Ministry of the Solicitor General's decision on the firearms acquisition certificate course and examination; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I have signed the petition.

**Mr Leo Jordan (Lanark-Renfrew):** I have a petition to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to the Ministry of Solicitor General's decision on the firearms acquisition certificate course and examination; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"I/We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I affix my signature to this.

#### SEXUAL ORIENTATION

**Mrs Karen Haslam (Perth):** I have a petition that's addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parlia-

ment of Ontario as follows:

"Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it.

"We believe that there will be an enormous negative impact on our society, both morally and economically, over the long term if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, which is enjoyed by everyone by law now. But since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code and may include sadomasochism, paedophilia, bestiality etc, and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age and sex, we believe all such references should be removed from the code.

"Therefore, we request that the House refrain from passing Bill 45."

#### FIREARMS SAFETY

**Mr Bruce Crozier (Essex South):** I too have a petition from the Ontario Federation of Anglers and Hunters addressed to the Legislative Assembly of Ontario:

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I agree with this petition and affix my signature thereto.

#### GAMBLING

**Mr Robert W. Runciman (Leeds-Grenville):** I have a petition signed by members of the United Church of Elgin:

"To the Legislative Assembly of Ontario:

"Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

"Whereas there is a direct link between the higher availability of legalized gambling and the incidence of addictive gambling; and

"Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families both emotionally and economically; and

"Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

"Whereas large-scale gambling activity invariably attracts criminal activity; and

"Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:



"That the government of Ontario cease all moves to establish gambling casinos."

I'm affixing my signature in support.

#### SCHOOL PRINCIPALS

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** I rise to present this petition on behalf of the Honourable Fred Wilson, member for Frontenac-Addington, from several hundred of his constituents:

"To the Legislative Assembly of Ontario:

"Whereas we, the undersigned, believe the daily presence of a principal in each of our schools is fundamental to the education and wellbeing of our children, we are firmly opposed, therefore, to the Lennox and Addington County Board of Education's concept of removing any principals from our community schools, including Centreville, Enterprise, Tamworth and Newburgh public schools."

The member for Frontenac-Addington has affixed his name.

#### SEXUAL ORIENTATION

**Mr Bill Murdoch (Grey-Owen Sound):** I have a petition that was sent to me by many people from Chesley, Ayton, Durham, Hanover and Mount Forest, and it's to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it.

"We believe that there will be an enormous negative impact on our society, both morally and economically, over the long term if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, which is enjoyed by everyone by law now. But since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age and sex, we believe all such references should be removed from the code."

#### ANTI-TOBACCO LEGISLATION

**Mrs Ellen MacKinnon (Lambton):** I have a petition here from an organization known as ALOHA, which stands for Association of Local Official Health Agencies (Ontario):

"Dear members of provincial Parliament:

"ALOHA is the collective voice of Ontario's public health agencies. It provides leadership and expertise on the management and delivery of efficient and effective public health services and advocates for the role of public health agencies and on public health issues that promote community wellness.

"We, the undersigned, the medical officers of health and associate medical officers of health, have a responsibility for the public's health in Ontario. The use of tobacco continues to be the number one preventable cause

of death and ill health in Ontario. The promised Ontario Tobacco Act intended to prevent this from continuing to be the death of the next generation has still not reached the Legislature.

"We call on members of the provincial Legislature to ensure that this legislation is brought forward and passed during this session of Parliament. Each delay represents too many thousands of needless deaths and illness."

1540

#### LONG-TERM CARE

**Mr Murray J. Elston (Bruce):** I have a petition to the Legislative Assembly:

"Whereas the government of Ontario has stated that multiservice agencies, the new single, local point of access for long-term care and supportive services, must purchase 90% of their homemaking and professional services from not-for-profit providers, therefore virtually eliminating the use of commercial providers;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We protest the action to drastically reduce the service provision by commercial providers and respectfully request that the impact of this policy decision, including a cost study, be performed before any further implementation."

This is signed by a number of people in my area, and I am proud to affix my signature as well.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mrs Marland from the standing committee on government agencies presented the committee's 20th report.

**The Deputy Speaker (Mr Gilles E. Morin):** Does the member wish to make a brief statement?

**Mrs Margaret Marland (Mississauga South):** Mr Speaker, I really do not have any comments. The decision of the committee was unanimous, and we were all very happy, including the Chairman, with the appointments.

**The Deputy Speaker:** Pursuant to standing order 106(g)11), the report is deemed to be adopted by the House.

##### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Haeck from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr107, An Act respecting the City of Brampton.

Your committee begs to report the following bills as amended:

Bill Pr70, An Act respecting the Town of Napanee

Bill Pr86, An Act to revive Tuberate Heat Transfer Ltd.

Your committee recommends that the following bill be not reported, it having been withdrawn at the request of the applicant:

Bill Pr44, An Act respecting the City of Toronto.

**The Deputy Speaker (Mr Gilles E. Morin):** Shall the report be received and adopted? Agreed.

#### ORDERS OF THE DAY

##### EMPLOYER HEALTH TAX AMENDMENT ACT, 1993

##### LOI DE 1993 MODIFIANT LA LOI SUR L'IMPÔT PRÉLEVÉ SUR LES EMPLOYEURS RELATIF AUX SERVICES DE SANTÉ

Resuming the adjourned debate on the motion for second reading of Bill 110, An Act to amend the Employer Health Tax Act and the Workers' Compensation Act / Projet de loi 110, Loi modifiant la Loi sur l'impôt prélevé sur les employeurs relatif aux services de santé et la Loi sur les accidents du travail.

**The Deputy Speaker (Mr Gilles E. Morin):** The member for York Mills, I believe you had the floor.

**Mr David Turnbull (York Mills):** The question of health care funding is problematic for any government. We're seeing the problems that the US government is having, wrestling with the health care system, which indeed it urgently needs to change. It has been asserted by members of the government that the US should be looking at the Canadian health model, but the fact is the Canadian health model isn't working.

We now have a situation that doctors across this province are desperate to get out of the system, and many of the best surgeons in the province are being lost to the US simply because of the stubbornness not just of the provincial government but also of the federal government.

I noted in today's clippings that in fact the NDP government in BC is being threatened by the federal Health minister with withholding of funds unless they comply to the letter with the Canada Health Act.

It's time for radical changes in the way that we fund health care because the problem is that there isn't adequate access to treatment on a timely basis. We have the situation that the affluent are going to the US to get treatment or to get some procedures in the US, such as electromagnetic resonance scanning, which are not available on a timely basis here in Ontario.

It can be arranged within a couple of days in the US and the affluent are going, and not just the affluent. Some of the very well connected people in politics in Canada are going to the US for treatment. We only have to look at the example of the former Liberal Premier of the province of Quebec, who went to the US. Why? Because they didn't have the trust in the system here and they couldn't wait.

The fact is that some of our health care facilities are being used by vets in the evening because the equipment isn't being used by our health care professionals. Instead it is being made available to vets at the same time that the very same equipment is urgently needed for the backlogs. So indeed we have a two-tier system in Ontario at this moment. The sooner there is intellectual honesty applied to this question, the sooner we might begin to start to address the very serious concerns.

I mentioned yesterday in debate that we have the situation that the nurses got a much-deserved increase in pay after the NDP came into power, one of the few things I applauded you for. But immediately you started

closing hospital beds, beds that could quite easily have been made available on a paying basis to US patients who would in fact potentially find the Canadian facilities attractive because they could be priced at a rate which was competitive with US hospitals, which would give a cash infusion into our medicare system that we urgently need and would allow the specialists to at least make some extra income and not attract them down to the US. I don't believe it would detract, as the concern is expressed, that in some way these specialists would only concentrate on the people who were paying. I don't believe that.

I must say that the riding I represent, the riding of York Mills, probably has the largest concentration of doctors and specialists in the whole of the province. I would suggest probably more doctors live in York Mills than in the whole of northern Ontario and I can tell you that these doctors are alarmed at what is happening in our health care system.

Only last night, after a meeting on an entirely different subject, I was introduced to a doctor who absolutely pounced on the opportunity to speak to a politician about what was going wrong with the health care system. During the social contract, we had the spectre of the government essentially dealing with hospitals which had already made savings on more or less the same footing as those hospitals which have not achieved any savings.

Instead of the government looking at a cost per procedure and saying to each hospital, "You must comply with these costs"—given the fact that there would be some variance according to the size of the hospital because there are some economies of scale and, in addition to that, the fact that the most difficult cases are typically referred to large teaching hospitals in the urban areas, we would have to make allowance for those procedures.

But other than that, why not make those hospitals which are not efficient comply with those cost standards, instead of across-the-board cuts, which is what this government has got involved in? I don't believe that the government has done it with any evil thought in mind. I just believe that they are ill-advised in the approach they're taking to health care.

In a survey which I conducted during the summer householder for 1993, 74% of the respondents to my survey, and I asked many questions on a whole host of subjects, said yes to the question, "Would you accept user fees for health services, for example, a \$10 charge for the visit to the emergency ward of a hospital?" and 25% no and 1% was undecided. I had an unusually large response to this questionnaire and I'm talking about the response of some 600 or 700 people who took the trouble to answer this questionnaire.

1550

I believe there is a mood afoot, that people recognize there are some serious problems in the health care system. Nobody wants to pay more money for anything—that is the nature of people—but there is an acceptance that maybe we have to bite the bullet.

Rather than saving on the availability of technology,



for example electromagnetic resonance machines, perhaps we should be paying a small user fee. That's anathema to the government, but nevertheless it is a way of us trying to get some much-needed funds so that we can ensure the continued viability of our health care system, which we can be proud of, which has been built up over a long period of years but is beginning to be eroded by all the cuts that have been engaged in by this government.

I believe these are practical solutions to the problem.

**The Deputy Speaker:** Questions or comments.

**Mr Kimble Sutherland (Oxford):** I want to respond to the member for York Mills. Let me say that when he talked about what his constituents said about using user fees, he didn't make any comparison in terms of what the economic status is of his constituents and those in other ridings. I think that needs to be taken into account when we're talking about user fees.

He talked about the efficiency of the health care system. He talked about people going to the States to use MRI, CAT scans etc. I want to bring to his attention a recent study that I heard on the news—it appeared in the *New England Journal of Medicine*—which indicated that there are probably too many CAT scans and MRIs being done unnecessarily. So if we really want to look at how we're going to improve our health care system, we can't just say, "There automatically should be more MRIs and CAT scans." We've got to look at the efficiency of them.

I know in one community, before they had a CAT scanner, the waiting list was three weeks. After they got a CAT scanner, their waiting list went to six weeks. That doesn't make a lot of logical sense.

In terms of the third party talking about the employer health tax and the cost of health care, I want to remind him again, because he talked about driving jobs away, that the cost of health care for employers in this province is far cheaper than in the United States.

I would cite to you, when we were looking at the underground economy, I believe the Institute of Chartered Accountants was in and said that basically when you look at the tax burden, when you include health care costs, because when you compare taxes of course in the United States, technically they're not paying taxes for their health care, but if you take in those health care costs, the costs of doing business aren't really any cheaper in the United States.

In terms of managing the health care system, my only question to the member for York Mills is, can he tell us why health care costs increased on average 10% a year during the 1980s, and why finally it was this government, not the Liberals, not the Tories, that got a handle on the health care system and finally started providing some real management to that system?

**Mr Murray J. Elston (Bruce):** This debate on Bill 110 I guess could rapidly evolve into a full debate on health care. In fact our communities probably would sustain us in a direction that would allow us to discuss health care.

I have to tell the member for Oxford, and I'm not going to talk about whether he's involved in the proper debate or not today, but his government, our government,

the Liberal administration and the Tories have been struggling with the one real problem which has beset our health care system.

I disagree with Mr Turnbull. It's not because our health system is not functioning. In fact our biggest difficulty in this province is because our health system works. Our health system does intervene and it does save critically ill individuals. It has intervened in a way which means that severe trauma victims now require extremely intensive care, and some of us here know that.

It isn't perfect, I understand it's not perfect, but to say that our system doesn't function, that we cannot save individuals and our health care system isn't functioning properly or that any government hasn't paid a lot of attention to the administration of health is bumb. Everybody's been concerned about the rising cost of health care.

I'll tell you, if the people of the province of Ontario want a cheap health care system, all you've got to do is say, "Don't respond to anybody's needs." Anybody who suggests that we can respond to our collective health care needs by forcing individuals to shoulder all the cost or some of the cost before they even access the system in my view is wrong.

They are wrong-headed, because in this province and in this country it is my clear belief that there is a collective understanding that we come together to help people in trouble, and what can be more troubling than when somebody is beset by a very bad situation, either by the happening of an accident or the beginning of an illness?

Let's get on with making this thing a good debate.

**Mrs Margaret Marland (Mississauga South):** When I hear the member for Oxford saying that perhaps there are too many of certain types of procedures being done in this province and that's what's causing the health care costs to grow to what they are, I would say to that member, I sincerely hope you never have to wait the way thousands of patients are waiting for procedures around this province.

For you to suggest that there is one unnecessary medical procedure involving an MRI or a CAT scan is disgraceful; it's absolutely disgraceful.

I have had patients in my own riding, one particular one I can recall right now who needed a pacemaker, a simple two-days-in-the-hospital procedure. She waited six, seven months to have that simple procedure. In the meantime, she kept having to be hospitalized at \$700 a day because her condition was so grave and so serious that she couldn't stay at home. So for \$700 a day, in and out of hospital for six and seven months, waiting for a procedure to be done that in fact involved two days.

Now we have a health care system in this province where we are deciding electively by bureaucrats and by this NDP Bob Rae socialist government who will have certain procedures. We are now deciding by the government whether you're too old for a bypass, whether or not you should have free testing for prostate cancer.

This government has taken everything out of health care under the word "humane." We now have a health care system that is going to play God, is playing God in

deciding who will be deserving of having a surgical remedy that has cost millions of dollars in medical science to develop.

**Hon Shelley Wark-Martyn (Minister without Portfolio in Health):** Let me respond to the members' comments about beds closing and doctors running out of Ontario. As someone who has worked with doctors in the past and as someone who had to travel far with a sick child to Toronto's Sick Children's Hospital at a time earlier in my life, I know what it's like to access health care, to not be able to access health care. Let me tell you, this government has done more to allow people to access affordable, appropriate, accessible health care.

The issues in northern Ontario have not changed a lot over the years. I remember 10, 13 years ago advocating for better coverages in northern Ontario. This government has moved. We've got acquired brain injury patients now coming, living in Ontario.

Just this week I was at the Robin Easy Centre in Ottawa, where we opened a transitional living centre, which we never had here in Ontario. Later this week I'll be in Thunder Bay doing the same thing. We're bringing those people, those health care dollars back to Ontario, which both of these parties in opposition could have done many years ago if they had put their mind to it instead of putting all their money into institutions which the dollars will show you in the records.

**Mr Turnbull:** I seem to have hit a raw nerve. I will quote from the Economist survey on health care dated July 6, 1991. It says, "The big American gripe about Canada is that the tight cost control, especially on capital spending, has led to rationing in the form either of waiting lists or of shortage of equipment. Some claim that Canadians use the more generous United States as a safety valve, crossing the border when Canadian queues get too long."

The fact is I know of these examples, and I will also speak to the fact that we can still find marks on the ceiling where they had to peel Mr Rae off the ceiling when he was in opposition when Frank Miller tried to close some hospital beds. Then my good friend the member for Bruce I think had somewhat the same experience. In fact we've got two marks on the ceiling.

1600

This government hasn't done the job. We know changes are needed in the health care system. There are queues and there are very serious queues. We have doctors who are not being allowed to admit patients who have terminal conditions into hospital.

Why? Because they have exceeded their quota for admissions for that year. Fact, because I have a friend whose wife is in that circumstance and they had to admit her under a different doctor's name.

That is disgusting. I never believed that in this country we would see that kind of situation, but that is a fact and that is what you've brought us to, instead of admitting that we have to search for alternative solutions.

It is quite right; the member for Oxford said there is an economic difference between the people in my riding, but they are prepared—

**The Deputy Speaker:** The time has expired. Further debate?

**Mr Elston:** I wasn't going to speak on this until we started getting into health care and having the Tories put their position on the table talking about the type of rationing that occurs here. I tell you, it doesn't matter whether it was during Bill Davis's time or Leslie Frost's time or David Peterson's time or Bob Rae's time: There are circumstances when there are not enough resources to provide everybody with immediate relief. But let's not go reading a bunch of bumf printed by some anti-health-legislation group in the United States talking about how fragile the Canadian health care system is.

Listen, I would far sooner risk having an illness or a serious accident in this province than in any part of the United States of America because, I'll tell you, I do not have enough money to be able to survive in that type of position in the United States of America.

I cannot for the life of me understand who in their right mind would stand up in this Legislative Assembly—and I'm sorry; my friend from York Mills is usually fairly diligent in his research. But who, I say again, would in their right mind stand up and expect us in this province, we who have a tradition of cooperative and collective action in terms of coming to grips with personal tragedies in terms of providing equitable assistance, to buy some kind of a United States solution to our health care industry?

**Mr Turnbull:** I didn't suggest that, and you know it.

**Mr Elston:** He says now that he isn't suggesting that. Well, he's getting darn close to it. He was reading out the material that pretty well sounded like he was advocating having the economic ration hammer come down on the—

**Mr Turnbull:** On a point of order, Mr Speaker: The member, I believe, is impugning motive in that.

*Interjections.*

**Mr Turnbull:** Mr Speaker, allow me to finish my point of order. The fact is that because of various procedural difficulties, my speech has been spread over three different days, and it can only be in the context of the total speech that this member can possibly form a judgement.

**The Deputy Speaker:** This is not a point of order. Please take your seat.

**Mr Elston:** I apologize if I've misconstrued the member for York Mills's speech, but I can tell you what happens in this place. The Tories are particularly good at it, and a whole bunch of people are as well. What they do is they take excerpts of their speeches and they will start off and they'll say: "Here's our health policy today. You see, I raised this issue in the House." Mr Tilson did that when he was speaking to my water bill, for instance. He read out the opposition to my private member's bill on water extraction, and I know that's going to be sent out to the water truckers' association, for instance.

What I want to put clearly on the record—and it happens. All of us do it. Let's not be feeling like we're too—

**Mr David Tilson (Dufferin-Peel):** Where are you going to send your speech?



**Mr Elston:** I send it to everybody. And you know something? I sent my bill out to the water truckers.

**Mr Tilson:** You know you're wrong on your whole philosophy. The municipalities can't win and—

**The Deputy Speaker:** Order, please. The member for Bruce, please take your chair. I would ask that whenever you deliver a speech, you address it to me, please. This way, we'll prevent people from heckling.

**Mr Elston:** I want to just say that the reason I came into this debate was to try and set straight what I think the real attitude of Canadians and Ontarians is towards health care. There is, in my view, a very broad-based tradition of cooperation in the communities which most of us come from. It doesn't matter so much whether we're rural or urban, but particularly from my point of view, having been raised in Huron county and now living in Bruce county, there is a real sense that when there is distress in our communities, then it is not just one individual who feels that distress but the community feels the distress. That was one of the primary motives for people coming together and, yes, being pushed by some people and being pulled by others into a collective response to personal tragedy, which was somehow to be alleviated, at least the best we could, by collectively putting our funds together to address the circumstances as best we could.

I take issue with those people who think that the best way to respond to that collective need to protect the community in times of tragedy, trauma or illness is to charge an admission fee. I don't like the idea of having to buy your way into the community support at your hour of need. That's my position. It's a personal one. I've seen families that have been torn apart by personal tragedies dealing with the psychological scars left from the very difficult times of having to suffer through accident and disease. That, in its own end, is enough for anyone to have to handle. But to be handcuffed by the type of economic bankruptcies that occur as a result of having to spend a lot more money to buy your way into the club, in my view, is not something that our society has ever found acceptable.

I understand more than anybody else the very difficult times we are in with respect to our money. In fact, that I guess is really what this debate should be about, whether or not we are collecting the money in the proper case through employer health tax. But, boy, I think it's time that we had best make it very clear indeed that it is not proper for us to start talking about having to pay an admission fee so that you can buy the community's support. I don't like it in those terms, and maybe that's the best way to describe it so a lot of other people won't like it either.

I'd like us to confirm again that the community will come together and help each other out in times of difficulty. That's not a lot to ask. It is for some people, however, a lot to ask to make the first payment, to admit that they need to be sustained by other people because the second part of the dichotomy is this fierce individualism that we still have in many of our communities; we're glad the community is there and we'll put our own resources behind those people who need us, but some-

times we have an unwillingness to ask for the help ourselves.

I just don't think through debates on employer health tax or on the WCB or other places that this bill takes us is the proper place for us to have individuals making speeches about how acceptable it is to have user fees being introduced into this Legislative Assembly and into the province of Ontario. I just don't believe in my heart that we are really addressing the issue that we've got to talk about.

The one thing that is really key for me more than anything else is that we make our peace with the fact that in Ontario we are different than the Americans. We are a people who have, through joint cooperation and joint effort, come together to forge, out of a very inhospitable, sometimes a very cold climatically located country, a very warm community of genuine interests. That's what we should be confirming here. We shouldn't let somebody try and introduce their philosophical bent to charge people entry fees so that they can get the community to help them with their health coverages. I maybe shouldn't rail too much on that one point but that is my first concern, about allowing that to overtake this debate.

The second concern is this: When people start talking about how bad our health care system is, they should know that it is a far better system than I have been able to locate in very many other centres of the world. I think that we as a group—I would like all three parties at some time to have a joint resolution that says we've got a genuinely fine system that has problems, problems all of us can agree on.

I was the Minister of Health for a while, so I sometimes feel unhappy when one member or another, and there have been a couple today, says, "We are the only government that ever did anything about it." Well, you strive every waking hour. Ruth Grier is probably now inundated with some kind of briefing on what's happening at a nursing home. She may be finding out something that's happening with the drug benefit plan. She may be finding out something that's happening at a hospital. But as Minister of Health, you are doing nothing almost your entire career but trying to find ways of dealing with the problems of the day and making your circumstance better. We are sometimes more successful than others, but we've all struggled under that.

A real problem, as I tried to say in my two-minute intervention to the previous member's speech, was that basically we have been too successful. If you want a cheap system, don't do anything and then it won't cost us anything. That's of course not acceptable to me. In fact, I told a group of American insurers that, from my point of view, the biggest problem for them was to figure out how to get more people into their health care system but to acknowledge that it won't make it cheaper for anybody.

If you're going to be successful in health care in very many ways, treating cancer, treating heart disease, for instance, if you're going to be successful in reviving accident victims, having to open places that will house people with acquired brain damage, then you are going to end up with more costs. You'll have to sustain more costs

and you will have, as a result, a need to extract more money into our public system to pay for those costs.

You want it to cost less? Then don't intervene. Don't intervene. You want a cheap system? Don't go and save the person in the car accident. You don't want an expensive system? Then don't intervene with somebody who has cancer. If you want a cheap system, don't call out the ambulance to answer any emergency. If that's what you want, then tell us.

I want a system that is operated so we will intervene to save the people in car accidents. I want a system that will intervene to help people with respect to the treatment of cancer or heart disease or any of the maladies that afflict or offend any of the people who live here in our province of Ontario. That being said, it needs money. It needs money.

**Mr Chris Stockwell (Etobicoke West):** Lots of money.

**Mr Elston:** It's true. The member from Etobicoke West is right: It does need money.

But it seems to me that as a society, we should dedicate ourselves to intervening in the places that we properly can and that we can make really good interventions, interventions that make the difference. You know, it does make a difference to those people who don't have very much money if you require them to pay for the first treatment of almost anything.

I digress for just a moment. I watched a program on an American station not that long ago about juvenile leukaemia, and maybe some others saw that: A mother who had a child in a hospital in the United States for about 14 months, an amazing young fellow who had gone through those treatments, had been up and had been down, had watched some of the people in his room pass away. A marvellously keen attitude. He had a chance to go to anyplace in the United States—

**The Deputy Speaker:** Order, please. It's now 4:15. We've agreed there will be a deferred vote on second reading of Bill 138, An Act to amend the Retail Sales Tax Act.

#### RETAIL SALES TAX AMENDMENT ACT, 1993

#### LOI DE 1993 MODIFIANT LA LOI SUR LA TAXE DE VENTE AU DÉTAIL

Deferred vote on the motion for second reading of Bill 138, An Act to amend the Retail Sales Tax Act / Projet de loi 138, Loi modifiant la Loi sur la taxe de vente au détail.

**The Deputy Speaker (Mr Gilles E. Morin):** Please call in the members. This will be a five-minute bell.

*The division bells rang from 1614 to 1619.*

**The Deputy Speaker:** Will the members please take their seats.

Mr Laughren has moved second reading of Bill 138, An Act to amend the Retail Sales Tax Act.

All those in favour of the motion will please rise one at a time.

#### Ayes

Abel, Akande, Allen, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper,

Coppen, Duignan, Farnan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kormos, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martin;

Mathysen, Mills, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessenger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

**The Deputy Speaker:** All those opposed to the motion will please rise one at a time.

#### Nays

Brown, Caplan, Carr, Cleary, Conway, Crozier, Cunningham, Daigeler, Elston, Eves, Fawcett, Grandmaitre, Harnick, Henderson, Jackson, Johnson (Don Mills), Jordan, Mahoney, Marland, McLean, Miclash, Murdoch (Grey-Owen Sound), Murphy, Offer, O'Neil (Quinte), Phillips (Scarborough-Agincourt), Poirier, Runciman, Stockwell, Tilson, Turnbull, Villeneuve, Wilson (Simcoe West).

**The Deputy Speaker:** The ayes being 63 and the nays 33, I declare the motion carried.

Shall the bill be ordered for third reading? Agreed?

**Interjection:** Committee of the whole.

**The Deputy Speaker:** This bill, therefore, is accordingly referred to the committee of the whole. Orders of the day.

#### EMPLOYER HEALTH TAX AMENDMENT ACT, 1993

#### LOI DE 1993 MODIFIANT LA LOI SUR L'IMPÔT PRÉLEVÉ SUR LES EMPLOYEURS RELATIF AUX SERVICES DE SANTÉ

**The Deputy Speaker:** If some of the members want to leave the House, please do so now.

The member for Bruce, you had the floor.

**Mr Elston:** There for a second I thought you were naming all the other members. I wasn't sure what was going on.

Anyway, there was a young man who had been in a cancer treatment program in the United States. He could have chosen to go anyplace in the world, as I was saying before the vote was called, and he chose to go home to go fishing.

**The Deputy Speaker:** The member for Bruce, would you please wait for just a minute. There are too many people standing. Please, if you want to carry on conversations, do so outside of the House. We'll wait patiently. The member for Bruce.

**Mr Elston:** Can I try again? In any event, I was taken by the story, because the young man put up a great struggle over a 14-month time period, but at the end of the day he passed away at his own home.

But the real contrast, of course, between that story in the United States and the one here in Canada was that the mother being interviewed said that they had lost all of their retirement funds, they had to sell their house and they had to pile the bills in a corner in boxes. In fact they



had to make choices about which bills they did pay, and they paid only the bills that were absolutely necessary so that they could make sure they could get the drugs to keep their young son alive.

As I was saying in the previous part of this discussion on this bill, it is an expensive system but it makes sure that people don't have to go through episodes like that. It means that they are somewhat more free to endure the pains that are associated with personal tragedy of accident and illness. In Canada, I think that should be again underscored as part of our social and cultural fabric.

I think that there can be a lot of debate about whether or not the employer health tax way was the best way to get money into our public health care system. In fact I think probably in debating it again, perhaps the most beneficial way would be to look more at going into the income tax system to fund the entire health care system than it would be to have an employer's checkoff tax.

**Hon Gilles Pouliot (Minister of Transportation and Minister Responsible for Francophone Affairs):** You'll have some fights there with the Tories.

**Mr Elston:** The member for Lake Nipigon is probably right.

A lot of the money is now raised for our health care system through the income tax system. The one thing that the employer health tax has done is that it has got some money into the system, but it really hasn't allowed us to carry on with the rest of the development of our economy. It has in some ways punished some of the employers in this province because they have had to pick up some paperwork and other things that they never had to do before.

I think there has got to be a real debate about whether or not the employer health tax actually is the best and most efficient way of getting money into our public coffers, the fairest way. The member from—

**Mr Bill Murdoch (Grey-Owen Sound):** Down east.

**Mr Elston:** No, he's not down east; he's the Minister of Agriculture. A dear friend of mine, Mr Buchanan, who knows a bit about the health care system, is taking notes on this, and you know something? He should take notes on this.

In fact we should take notes on a lot of the things that have been done in the past because, quite frankly, they aren't now perhaps the best way of doing the things that we used to do. There is a whole series of those things, and I think maybe the employer health tax might be one of the things that maybe shouldn't be done.

If we could get to substituting income tax or whatever—

**Hon David S. Cooke (Minister of Education and Training):** Which tax?

**Mr Elston:** Mr Cooke from Windsor-Riverside asks which tax.

**Hon Mr Cooke:** Five points.

**Mr Elston:** The member for Windsor-Riverside says that he's looking at five points on the income tax. But I can tell you that the only side of the equation is not to just raise the taxes all over the place; it is to consider

how much punishment goes on to areas of our economy that cannot sustain them.

The good thing about income tax is that at least it is raised from people who are making money. The problem with the employer health tax or any kind of payroll taxes is that they come off the top. It doesn't matter if you make money; you've still got to pay them. If you are thinking of hiring an individual, your payroll goes up, your employer health tax goes up.

This extension of the employer health tax to people like lawyers and accountants will mean that there will be new ways of trying to limit the liability of people to tax. I think the big problem for me is that we really have a culture now that is geared more than anything else to trying to avoid tax exposure. When you bring new people into the tax net, they will spend a lot of resources, rather than spending them on productive acquisition of some kind of inventories or equipment, in trying to avoid the tax.

There has got to be a study someplace by somebody that tells us how many dollars are taken out of our productive economy every year by trying to get the best advice on how to avoid the government's tax person. That's a problem for us. We can extend taxes to every area in the province by extending the employer health tax if we want, but a lot of money will be expended trying to avoid that and people will write off amounts of money against other taxes in their attempt to avoid the extensive expansion of these new taxes.

1630

For me, what we should be doing is looking at other means of collecting taxes. I'm not talking about user fees. I don't want the member for York Mills or other places to suggest that a user fee is an acceptable substitute. I don't find that acceptable whatsoever. I don't think it is a good deterrent to accessing health care services by those people who do it now as inappropriate users, as some would claim; it is in fact a deterrent to those people who actually need the service in a timely fashion.

I am, as a result of this, opposed to this portion of Bill 110. I'm opposed to the bill. I think what this bill has allowed the government to do is walk away from the real debates about some of the other expenditures it makes.

Perhaps they should be looking at the style of delivery of services they are undertaking in a whole series of areas. Perhaps they should be looking at providing a much tighter list of services. Already in the health care field there has been some elimination of service by the Minister of Health.

I'm not talking about eliminating that type of review to see if every care package delivered now in the province is appropriate. I think we always have to go through and look to make sure that our care is appropriate. But I am asking the government perhaps to examine other program areas that are no longer now necessary.

We've got into a discussion in the last few days of a couple of programs that have not worked very well in the housing area, for instance, and I guess what we should probably be able to say is that when we are not able to perform well in that area, it means perhaps that the funds

that would have been allocated in the future for those types of problems might very well be addressed towards the problems that we do know we do a good job at, and we do a good job at health care.

We do have a problem with resources. We do have a problem with how many beds we need, because nobody really knows that. We do have a problem with the number of machines that are available to do all kinds of treatments.

Dialysis, for instance, is one that has been a perennial problem. You catch up, you think, and then all of a sudden there are more difficulties that are associated with the diseases that require dialysis. There are problems with respect to the number of machines for treatment of cancer, and that is a problem.

But perhaps that means for us that we make a decision to do the things we do well by allocating our resources first and foremost to where we make a real difference to the people in the province, and it is a real difference that we know we can deliver to those people by making sure that our health care system is funded in a way that is appropriate and effective.

Just one other point which wears me down a wee bit. The member for York Mills read a little treatise from someone, and they had pointed out that there were particular benefits in having the United States next door as a safety valve for our problems. Well, people from the United States come up here all the time too, and they get relief from problems that we are able to help them with. It's something I feel kind of proud about, because people coming here accessing our system is I think the best indication that we've got a good system.

But it is the code words that are used around the discussions in health care which bother me most. It is the trying to destabilize some of the things we do very well by claiming, as the member for Oxford read out, that there are inappropriate uses of machines, so ergo—he didn't say this, but presumably the next step would be, we don't need that many machines. He didn't say that, but if you say there are inappropriate uses of machines, you'd probably say we don't need as many of them.

We have got to get our hands on something that allows us to have a benchmark of discussion about the validity of our health care system and the treatments. We are always running around in circles with somebody who's trying to undermine the whole system, setting up these straw people they can knock down when in fact they aren't relevant to our debate.

We've got to get a handle on having the baseline discussion about where we are with our health care, the baseline discussion about what is appropriate, and maybe we'll never catch up with that, because even among the practitioners in medicine or nursing or dentistry or chiropractic, that is always a discussion of continuing and evolving difficulty for them.

For me, I think it would be essential, with the increase in the employer health tax that is about to occur here, necessary for a very strong statement of principle coming from the Treasurer, from the Finance minister who is sponsoring this bill, that he and the government are

dedicating themselves to allocating the funds not for chipping away at the edges of the service but in fact for making it better.

I understand how we cast our press releases. I'm in the middle of looking at the reallocation of policing resources by the Ontario Provincial Police around my riding. One of the places that is now in question is whether or not a detachment will remain at Lion's Head. The concern is quite frankly that there will be good service.

We just lost a patrol yard with the Ministry of Transportation of Ontario out at Tobermory and the press releases that come out are: "Yes, you've lost the presence of the Ministry of Transportation. Yes, we're considering moving out of the detachment at Lion's Head, but don't worry, the service will be better. We won't be there as much, but the service will be better."

I would like somebody to talk in terms of the truth in advertising that we all need as public policy individuals. The fact is if people aren't around, they're not around. If people aren't there at first hand to see what the road conditions are like, then it's not as good as it used to be.

If the police detachment is not there full-time, then the perception is, and probably the reality is, that when Murray Elston goes to drop into what used to be the detachment and nobody's there, then I know the service is not as good. Maybe there are two people in cars out in the middle of nowhere.

The same thing with health care. You can't keep chipping away at this and a little bit off here and another piece off there and tell people that with this chipping and this clipping at the edges the service is going to be better. Let's be honest with the people.

If it is unavoidable, because there are problems financially, then let's confess the problem is that we can't afford to do what was done before. Likewise, if somebody can come up and say, "We used to do this procedure and it is no longer necessary," I'm going to applaud the people who take that out of service.

We did it at one time in the Ministry of Health when I was there and I got a lot of static because I said it's no longer necessary to pay for taking wisdom teeth out of people's mouths unless you had to go into a hospital circumstance where you required an anaesthetic.

If you can do it in a different way and a better way, then that's okay. The member for St Andrew-St Patrick, I just recall, probably would have some firsthand recollection of those discussions.

We did that because we wanted to move to providing service to children generally, but also to a lot of people who needed work on their jaws as a result of having been born with birth defects. You could get medical treatment for curing the palate and all of that, but you couldn't get the dental work covered, and \$20,000 for parents at that time we thought was really a lot of money and the kids really were affected in a very bad way. But we had to make a decision.

The fact was that the medical and dental technology had moved to a stage where people could be successfully treated without a great deal of problem or cost in a way which we felt would then allow us more appropriately to



help parents deal with the cleft lip and palate problem. That's the type of decision we have to be prepared to make, I think.

Let's get it very clear. In my debate today I am asking the question about whether or not the employer health tax was a right decision at all. To be quite frank, I think the evidence from my part of the country is that it has been a most unpopular tax. It has been a most impairing tax from the small operator's point of view because, when you have no margin to operate on, this means more comes off the top.

I also want it very clear that today I am calling upon the Finance minister to again underscore the commitment of the government to a genuinely high-quality health care system, not one that is going to be chipped away at the edges; not one, by the way, that allows people to opt their patients out of the system, because allowing some of these private clinic operations or taking this procedure off the list or letting the doctors charge \$90 for an annual health check for the drivers of school buses—you know, school bus drivers don't get paid a whole lot of money, but anywhere from \$45 to \$90 is being charged in some areas by people because that is now a delisted service as far as the Ministry of Health is concerned.

That's a bit of a burden, and we require it. We require those people to have the health checks because they're driving a publicly licensed vehicle with school children and we think it's necessary to make sure the people are in good health. I think it's a good public policy to make sure of that, so why are we forcing low-paid people to pay that \$45 to \$90 each time they have to have that check?

I think that's bad public policy, I think that's wrong public policy, because it's not that the people feel they need the health check; it is that the government feels they need the health check. In fact, I think we all think it's a reasonably good idea.

Let's rededicate ourselves to quality. Let's rededicate ourselves to understanding whether or not we have the appropriate vehicle here to get the money.

1640

**The Deputy Speaker:** Questions or comments.

**Mr Robert Frankford (Scarborough East):** I always enjoy listening to the member for Bruce and I know he has a lot of familiarity with the health system. I was very interested to hear his analysis of the types of tax that should be used.

Clearly we both agree that there should be a prepaid arrangement, and I use the word "prepaid" rather than "insurance," because I think we have got stuck with the insurance model and I personally feel that's a lot of the problem, that the insurance model works with procedures, fee for service. I personally have great reservations about that, as have many of my colleagues.

I think the member probably would agree in private that the employer health tax was a quick-fix way of moving to a tax-based system from premiums, but it does have its drawbacks, and one of them is the inequity which we are addressing in this particular bill.

One other failure which I would like to mention is the

fact that by moving to a tax-based system, we eliminated, at the time, even the possibility of a premium arrangement. Right now we can see the drawback of that because of the people who are temporary residents or in some ways are lacking full status, who now are suddenly finding themselves without coverage and who, those I've had quite extensive discussions with, would be very eager to be able to pay a premium so that they could share in the same arrangement we have. They could just get a card for the period that they're here in return for an actuarially appropriate premium. This would also be of great assistance to the physicians and the hospitals here, which could just seamlessly bill people for necessary health services.

**Mr Alvin Curling (Scarborough North):** I listened very attentively to my colleague for Bruce, and again it reminds me how fortunate we are in this House to have individuals with this experience and this kind of intelligence, those who have walked the direction of a full understanding of the subject.

The only unfortunate part about this Legislature is that sometimes when we hear this advice I often wonder if it is taken into consideration. I'm going to sort of reassure myself that I have confidence in the system, that the minister is listening, because what the member has done here is reassure us about the kind of health system that we have in place and that it's not bad, that we can also improve it, but that we must make sure we're going in the right direction.

The fact is that I had the opportunity in 1985 to watch this member handle one of the most delicate issues of the day at the time, the famous doctors issue, and the fact of how well he handled that and how they came to respect him because of his integrity.

I hope the members on the opposite side, the government side, who are listening, that you understand, that you go back over Hansard—we've got time—for some of those suggestions that he has made, because I feel that it's only the direction of improving that system. Of course he pointed out how concerned he is that this is the right direction we are going.

Mr Speaker, I saw you bowing your head too in agreement and many members of the government side agreeing in some of these suggestions. I just want to say to you how fortunate we are; even my good member for Scarborough East was agreeing fully with what he was saying. Again, what a fortunate opportunity we have in having this member in this House.

**Mr Stockwell:** There's no doubt the member who spoke, the member for Bruce, has a good understanding of the issues at hand, and I suppose it's very difficult to publicly accept this reality, particularly if you've brought in the particular employer health tax, but the reality is that it wasn't a saving grace. It was not, in the end, a policy taken by the government that resolved or brought the issue to a head and in fact tackled the issue.

Sometimes we bring forward recommendations that we call progressive, and the government opposite often spoke about progressive changes. I guess the dilemma that I have with "progressive," the only point that I can make with respect to the progressive change is that it seemed

to me in the old days of the Liberal government in the beginning and then the Conservative government's 43 years that the premium system under the OHIP plan seemed to work better. It worked better, in my opinion, because there were a little better checks and balances in place.

I'm not saying that this card—

**Mr Frankford:** Twenty-three million cards.

**Mr Stockwell:** There were lots of cards, but there weren't that many active cards. They weren't active because the premium was put in place.

You argued recently about the insurance premium plan. Maybe there's a hybrid here that we can bring in this card, employer health tax, with some sort of premium, but I will guarantee this House that you will not get the system under control as long as it's simply a payroll tax because a payroll tax just deals with numbers. There are no people involved. There are no real people insured, and it's just a number based on your payroll, which has no relationship to what we're supplying people with, and that's health care service.

So until that's resolved, I don't think you're going to resolve this issue.

**Mr Randy R. Hope (Chatham-Kent):** As I listened intently to my friend from Bruce, who usually plays right wing when we play hockey, sound like a left-winger today, I understood through his conversations he does support a health care system publicly funded and publicly administered.

He talked about communities collectively coming together, and I can only reflect on my own community. When Michelle Wright, who is a well-known country singer, came back to our community to help us put together a CAT scan in our community, I remember even times that I sat on the dunk tank while people threw balls at me for two bucks, and helped to raise the funds for it.

I must reiterate, because the member made reference to the member from York Mills reading from a document and I happen to have a document that seems to be circulating across this country, and it says:

"A comprehensive re-examination of Canada's health care spending is required. Without doubt, part of the immediate pressure on the program has arisen from the decision of the Conservative government to steadily withdraw from health care funding, thus passing costs on to the provinces..."

"A Liberal government will...in the renegotiation of federal-provincial fiscal arrangements, engage with the provinces in a major re-examination of the funding of the health care program..."

I know the member for Bruce, who spoke very eloquently today from a left-wing perspective of a community—and I only say that jokingly. I know where he actually sits in this and I think it's to the centre right a bit, but to the centre, he tries to, but I know the member would be and I think all of us are concerned about our health care system. I know a lot of people would demand more. In rural communities, like my own, we have to travel to Windsor and London for the services, and we'd prefer seeing the services in our community. It's a matter

of cost-effectiveness and cost-efficiency that has to be put in place.

He talked about the story that was about the person with leukaemia. I can recollect with that because my sister at the age of nine died with leukaemia in our own home, and I understand the costs that are associated with that.

1650

**The Deputy Speaker:** The member for Bruce, you have two minutes.

**Mr Elston:** There are some pretty good suggestions, I think, about us looking at some other things that we should do. The member for Scarborough East's suggestion, for instance, that we have a way for people to enter our system when they're here temporarily is not a bad suggestion. It seems to me that it's something we could take a look at. The thing that obviously you have to be careful of is that people don't try to get into the system when they know they've got a very bad pre-existing condition. But all of those things we can check.

I like when people want to have access to our system, because that type of endorsement is hard to get from our own people, who I think really have become familiar and comfortable with our system and also demanding in a way which is kind of a credit to the people who work in the health care system.

I do believe, and I agree with the member for Etobicoke West, that the health care tax is not appropriate. Where it really did work, and this an interesting thing about the employer health tax, we used to lose a lot of people when they moved from one job to another. If I was working at GM or something and I fell out of the group coverage, then I had to apply with the 104 form to get myself re-enrolled. I could be lost. I maybe didn't bother until I found out that my child was sick with appendicitis or whatever it might be. So we had to chase that person. The administration was hard. We had cheques to cash; we had all of that administration. There were some benefits that were picked up, but at the end of the day, the premiums aren't the easiest thing to administer and you can't chase people down.

The employer health tax got us away from chasing individuals and making sure that nobody falls out of registration once you're enrolled, and that, I think, is a real benefit. The place that it does hurt is for those people who have no margin to work with in the small business sectors. That is where it really is a punishment and that's where it is regressive, because those people probably could have gotten a premium exemption under the old system. That's difficult.

I think we should re-examine and I'm sure that there will be a re-examination of this system. Right now, I think my vote will be just in protest of the extension of it.

**The Deputy Speaker:** Further debate? The member for Don Mills.

**Mr David Johnson (Don Mills):** This bill has a number of interesting aspects. Last week at a town hall meeting—

**Mr Anthony Perruzza (Downsview):** David, we



haven't heard you for a while. Come on.

**Mr David Johnson:** The member is pleased to see me speaking. I am pleased to see the member in the House. Thank you very much for your comments.

**Mr Stockwell:** You might regret that statement.

**Mr Perruzza:** Breathe a little life into it.

**Mr David Johnson:** All right, we'll do what we can.

Last week at a town hall meeting I raised the fact that this week we were still discussing tax increases from the budget of 1993, and that's exactly what we're doing here today on two counts.

Earlier this afternoon we had a vote on a bill that implemented the provincial sales tax on auto insurance. All those people in Ontario who are delighted with the 5% increase on their auto insurance—and there must be one or two somewhere; I haven't found them yet—can thank the debate we've had over the last couple of weeks and can thank this government for implementing a bill in the 1993 budget which is still debated right up until this afternoon. The provincial sales tax on home insurance; the provincial sales tax on various employee programs, insurance programs, that sort of thing; the provincial sales tax on sand, gravel, building materials, and on and on it goes: That was a bill that we voted on earlier this afternoon. That was a bill that came out of the 1993 budget and, believe it or not, we're just dealing with it today.

It's interesting; when we talk about the 1993 budget, people assume that is way back in the past, dealt with, a nightmare that's behind us, and yet how many days of debate have we had on the 1993 budget?

**Mr Stockwell:** Two days.

**Mr David Johnson:** The member for Etobicoke says, "Two days." That's the kind of priority this government puts in terms of the financial status of this province, the financial situation of the province: Bringing in \$2-billion worth of tax increases—another two; two is the key number here—and two whole days of debate is what's permitted on it.

**Mr Stockwell:** A billion bucks a day.

**Mr David Johnson:** A billion bucks a day. You know, it's really frightening that that's—

**Mr Perruzza:** How much is that in dollars?

**Mr David Johnson:** The member is interested in dollars. That's actually \$4 billion over the three budgets that this government has brought in: \$1 billion in tax increases in the first, \$1 billion in the second and \$2 billion in the last one.

Here we go on another tax increase from the 1993 year, yet next week on May 5 we are going to see a new budget for 1994.

**Mr Perruzza:** It's an exciting day for Ontario next week.

**Mr David Johnson:** An exciting day? It'll be an exciting day if for once there are no tax increases. Has the message sunk in? I think it has. I hope it has. We'll be waiting. The taxpayers are waiting.

The members opposite are wondering what the public

mood is. Last year, I might say, during the budget process, the Progressive Conservative Party went out and talked to the people, and I'll tell you the feedback we got on the budget last year, if I could repeat it in this House: the people are sick and tired of the tax increases.

I bring to the members opposite a little education on this matter, because I know they haven't been quite so anxious to hear this message. I bring to them a letter from a constituent of mine. This is a letter I received yesterday from a constituent.

**Mr Perruzza:** Send it on over, will you?

**Mr David Johnson:** To the member for Yorkview, it's entitled "The Excessive Tax Burden in Ontario and the Excessive Tax Spending of the Provincial Government." That's bang on. My constituent says, "I wish to send a strong message to you and your government." This is the unfortunate part of the whole letter: They wish to send a strong message to me and my government. Well, I can assure the people of Don Mills and the people of Ontario that this government opposite is not my government. This is the government we got saddled with in the election four years ago, but this is not my government.

The resident goes on to say, "Cut taxes," and this is in bold. I think those watching on television will be able to see this: "Cut taxes. Cut spending." Perhaps the members opposite can see that. This is the feeling out in Ontario today. This is the feeling that's not being reflected in the two bills, the one we voted on today and the other that we're debating here at this instant.

He says, "We face the highest tax burden anywhere in the developed world here in Ontario," and he's almost right. You may find one or two countries in the world higher taxed than right here in Ontario. "We are mad as hell and we are not going to take it any more. My wife and I are fairly productive members of society. We paid over \$30,000 in income tax alone last year. However, we plan to move to the United States, to get out of here at the earliest opportunity."

There is a message there, and we can choose to ignore that message. We can say, "Here we have a right-wing reactionary, a person who's not proud of his country."

**Mr Perruzza:** Come on, David, breathe a little life into that one.

**Mr David Johnson:** To the member for Yorkview, I can tell you that many people are sick and tired of tax increases and they feel very strongly about this, to the extent that is being expressed in this letter.

**Mr George Mammoliti (Yorkview):** Downsview. He's Downsview, I'm Yorkview. Yorkview. Downsview.

**Mr David Johnson:** The member for Downsview. Thank you.

"If you cut taxes and make this country more amenable to the investor and the worker, then just maybe I'll sell off some of my US holdings etc. A primary focus for people nowadays is structuring investments to get the money out of Canada. Are you hearing the message?" No, they're not hearing the message.

"Tax evasion is no longer frowned upon by the middle-class citizens. Our wages have fallen well behind inflation over the past few years and yet at every oppor-

tunity you legislators increase our taxes.”

*Interjections.*

**Mr David Johnson:** That's a fact. Through the heckling, that is an absolute fact.

There was a number I quoted, speaking to the bill that increased the provincial sales tax: Wages over the past few years, I believe it's 10 years, since 1985, have increased by 53%. The level of taxation that we are experiencing here in the province of Ontario has increased by 73%. That's 20 percentage points higher in tax increases than wage increases.

1700

So the constituent of mine is bang on. He's raising a point.

The members may feel this is funny, the members may feel this is worth heckling, but I can tell you, the people will not be silenced. Come the next election, if this government doesn't pay heed, it's going to pay the price, the price it's paid in the by-elections up to this point. Is it any wonder why the government achieved 6%, 8%, 9% of the vote in the by-elections? This is one of the reasons right here and it's being expressed by a constituent of mine.

Another of the reasons this debate is of interest is because it can be construed as a debate about health or it can be construed as a debate about taxes, and we've heard both angles debated here today. I've heard some words about a health program that are a little disturbing to me. The member for York Mills was attempting to bring some sanity, some reason into this debate, and certain statements were made questioning that. I think he had every right to be concerned.

Personally, I have been involved, in my years in municipal life, with the health system in the borough of East York. I've been a member of the Toronto East General foundation, the Toronto East General hospital, located in the borough of East York, servicing the citizens of East York, servicing some citizens in North York, servicing some citizens in the city of Toronto, in the city of Scarborough. I have always been thoroughly impressed with the role our hospitals have played in our community. I've been immensely impressed with the way the hospitals have undertaken the social contract program.

This program was put upon them without proper consultation in the first instance, and this program has cost the hospitals in the province a great deal of their revenue. The hospitals in Ontario rely on that revenue to provide the services to the people they serve. Notwithstanding that, the hospitals have gone about their work, recognized the money that's come in, cut their services—I shouldn't say “services”; they have cut their costs, and they've been scrupulous about that—they've cut their costs, and in my estimation they deserve a great deal of credit for the way they've handled this situation.

I can tell you, for example, in the Toronto East General hospital they have needs, they have a great number of needs. Just to list two or three, in the surgical and emergency care section of the hospital they need electric beds. It doesn't sound like a big thing, but it's very important. In the critical care directorate they need

a great deal of equipment to bring their facilities up to standard. In the maternity, children's, women's and mental health sections, they need incubators and other equipment. They're going about their business to cut their costs, to go out in the community to raise money to provide these services.

We're right to have a debate about health care, but during that debate we should recognize the stress that the professionals in the health care community have been subjected to.

The Sunnybrook hospital is in my riding, the Sunnybrook hospital that services many veterans from the wars and indeed is home to many veterans having served our country. But the Sunnybrook hospital has many different programs and the Sunnybrook hospital has needs. It has needs in the new clinical services wing to improve services to cancer patients, and this is a growing component of the Sunnybrook hospital. The cardiac and trauma patients are needing increased services in the Sunnybrook hospital. The needs are immense: the intensive care units, the operating rooms, the ambulatory care centre, the centralized diagnostic services in the Sunnybrook hospital, and on and on it goes.

These hospitals are in a sense the meat in the sandwich. They are trying to provide the services that are demanded by the public on the one hand with the money that's available on the other hand, and in my estimation they're doing an excellent job.

The North York General Hospital is an example of another hospital. If we want to talk about health services, as we should during this debate, perhaps we should mention the North York General Hospital and the emergency care and the expansion and the modernization that's required in that particular hospital.

Perhaps we should mention the seniors' health care at the North York hospital, the seniors' health care which is a growing component of our life here in the province of Ontario. We are an aging community in the province of Ontario. The services to seniors are required, and the North York General Hospital is a good example of that.

These are some of the excellent health programs that we have today in the province of Ontario. So it's right that we talk about health care services, but it's also fitting that members who have spoken earlier, particularly the member for York Mills, raise the issue of funding.

The situation is, and the situation that I believe the member was bringing to our attention, that of every budget dollar that is required in the province of Ontario, 32 cents goes to health—32 cents out of every dollar. Education takes 17 cents, social services 20 cents, the public debt—the interest, just to pay the public debt, because governments in the past, and I have to say that Progressive Conservative governments have played a role in that as well, but over the past few years in particular, the debt has risen to the extent that today 13 cents out of every dollar in the budget goes to pay the interest on the debt, and nothing else.

**Mr Michael A. Brown (Algoma-Manitoulin):** Just like in 1984.

**Mr David Johnson:** The member opposite from the



Liberal ranks has made a comment about 1984. I want to come to the period following 1984 in a moment. I'll come to the period following 1984 in a moment. But that's the situation we face, that health is 32 cents out of every dollar in the budget.

The revenues, on the other hand—and that's what we're speaking about here today, the revenues coming in from the employer health tax—six cents out of every dollar in revenue comes from the employer health tax. So there's obviously an imbalance there.

The employer health tax in reality is just a source of revenue. If there's a perception that the employer health tax pays for all our health needs in the province of Ontario, then I hope that's dispelled, because 32 cents out of every dollar represents over \$17 billion in health needs, with revenues of about \$2.5 billion from the employer health tax. That I believe is what was trying to be conveyed, and we need to have a sensible discussion about that.

It's interesting that, looking at another angle of this, this employer health tax—and my colleague from the Liberal ranks harkens me back to the 1980s—was introduced in the 1989-90 budget, but it had good company at that particular point in time. Indeed, in that budget, a Liberal budget, there were 16 taxes increases. This was one of the 16 tax increases.

1710

I might say, for those curious as to what the other 15 were, the personal income tax was raised to 53%. That sounds low today. Today it's actually up to 58%; the total rate, the high-end rate, is the highest in Canada of personal income tax, so it's gone up even further. But that year, 1989-90, 53%, it was brought up to that point.

The gasoline and fuel taxes were increased in 1989-90. The famous tire tax was imposed, the \$5 tire tax. I know many of the citizens of the province of Ontario have paid a \$5 fee every time they purchased a tire; that tax was put on 10 million tires a year, by all accounts. There was some \$200 million generated in revenue through that tire tax, and a very small proportion of that money ever went to the purpose that was intended, which was to recycle tires, reuse tires.

That tax, thank heaven, has now been eliminated, but that tax was included the same year as the employer health tax. A gas guzzler tax came in that year; a five-cent container tax on non-returnable recyclable containers. The commercial concentration tax was implemented in that same year. So there was a whole plethora of taxes that were increased with the employer health tax.

The employer health tax was estimated to bring in over \$2 billion in taxes, which it has done. I was not in the Legislature at that particular point in time. My colleagues tell me that the Premier, in opposition, termed the employer health tax to be a cash cow, one that would raise considerable amounts of money. Over the intervening years the tax has generated about two and a half billion dollars a year.

I might say, the land transfer tax—and that's a favourite tax, I'm sure, to many people—was also included in that 1989-90 budget by the Liberal government.

Here we are back in 1989, we have all of these new taxes coming in. We have a new tax, the employer health tax. We have the OHIP premium being rejected, an OHIP premium over which we had some control. Now we have a new employer health tax that is brought in, generating over \$2-billion worth of revenue, and the problems began in our health care system.

Right away the health cards became out of control, to the point that today it's estimated that there are somewhere between 500,000 and perhaps double that, a million cards that are not accounted for in Ontario. This is really an outrage. This is an outrage to the citizens of the province of Ontario that there are so many cards that are unaccounted for that are used illegally, that drive up our health care costs, are used by Americans, are used by people coming in from other countries.

The amounts of money that are associated with these unaccounted cards are staggering. The estimates are in the hundreds of millions of dollars. I've seen estimates up to \$1 billion in costs—fraud, I would call it, people using cards who are not entitled to use these cards. This is where the control seems to have been lost.

Speaking of control, I was interested to read the auditor's report—and I'll admit, this is the 1992 auditor's report; the auditor doesn't report on every aspect of provincial finances every year—and in the 1992 Provincial Auditor's report under "Employer Health Tax" he stated that, "The ministry did not audit employer payrolls to verify the accuracy of the employer health tax remitted." There was not an audit to verify the accuracy of the employer health tax. Bear in mind, this was some time after the employer health tax had been implemented, so there was time to do the auditing, but the auditing was not done.

"The ministry estimated that lost revenues from both underreported payrolls and from unregistered employers is about \$140 million annually." So here we are talking about \$140 million in underreported payrolls and from unregistered employees, employees who were not known to the government and consequently the tax was understated. It demonstrates the lack of control in the system.

The auditor says "Several options should be pursued to obtain audit coverage." I think, if anything, today the system is more out of control than it was two years ago when the auditor made that statement.

The auditor went on to say that the "Employer account balances contained significant errors because the system processed remittance forms which had not been properly completed by employees. Consequently, employers received erroneous statements, about \$5 million had been incorrectly credited to employer accounts, and collection efforts have been significantly delayed." Again, problems in the control of the employer health tax system. Is there anybody who would say that our health system is financially under more control today than it was when the auditor made those comments in 1992? I would doubt it very much.

What we're talking about today in this bill is extending the employer health tax system to self-employed individuals. I might say that goes against the grain of what's happening in Manitoba, for example. In Manitoba, the

government apparently recognizes, in this instance, the burden of payroll taxes on businesses, and businesses—I'll tell you, I've met with the Toronto board of trade, I've met with business organizations representing many aspects of life in the province of Ontario and the message is a familiar one, it's a constant one: Businesses are being suffered by payroll taxes, by the workers' compensation, by the unemployment insurance. Here we are with the employer health tax. This is a message that's coming across.

In Manitoba, what did they do? They raised the exemption rate up to \$750,000. So if you have a business in Manitoba with a payroll of under \$750,000, you do not pay an employer health tax. That's an encouragement for small business. Why couldn't we look at that here in Ontario? What are we doing in Ontario? We're going the other way. This bill goes exactly the other way. This bill says no, there are people out there—they may be accountants, they be consultants, but they're self-employed people and they should pay a tax.

I suppose you can argue a fairness aspect; some people pay the tax, some people don't. But shouldn't there be a recognition in this day and age, in the recession that we've come through, in the hard times where small businesses are hanging on by their fingernails, where every nickel counts—we're hearing that message and I'm sure the government must be hearing that message—that this is not the right time to increase a tax? If there is a right time, it's certainly not today, to extend this payroll tax to more people. That's the message Manitoba has received.

I was disappointed with the Fair Tax Commission's analysis of this situation. The Fair Tax Commission, I must say, has been roundly criticized for this and, while there are some good aspects of the Fair Tax Commission, there are many, many aspects that are going to be a great problem, and I hope the government recognizes this.

1720

The Fair Tax Commission went the route of suggesting that the employer health tax, which is now a graduated system, should be a uniform system, but should be a uniform system at a high rate generating, I believe, about a quarter of a billion dollars in extra revenue. Well, there's the key. Well, there's the key. The Fair Tax Commission is looking at a way of generating more revenue again. It won't work. We've seen the revolt with high taxes on cigarettes. We've seen the smuggling. When the taxes are out of line, people say: "This is not reasonable. Taxes are too high." The underground economy flourishes.

The home builders of Ontario tell us that 41% of home renovations are paid for by cash. People do not believe that the tax structure in the province of Ontario makes sense any more. They avoid it. Now we're seeing this problem in the liquor industry, with a couple of charges the other day of premises that were purchasing home-built booze, I guess. In talking with the chairman of the LCBO, this is becoming a regular occurrence: It's not just these two premises that are being charged, but tax avoidance is the aim of the game. Why? Because our taxes are too high. Our personal income tax is way too

high at 58% of the federal amount. Our employer payroll taxes are too high. It's a burden. We have the Board of Trade of Metropolitan Toronto saying that something has to be done, that our businesses are just overwhelmed by the taxes.

Here we have a bill, Bill 110, which is suggesting that the tax be broadened and more people—I guess accountants and consultants are easy targets; perhaps they're not favoured people of the government, the self-employed. But this tax is not going to generate enough revenue to cover our medical needs; \$35 million, I think, is the estimate. It'll generate less. I can guarantee it. People will go underground. There will be more tax avoidance. This is the wrong time for Bill 110.

**The Acting Speaker (Mr Noble Villeneuve):** Questions or comments? Further debate.

**Mr Bruce Crozier (Essex South):** It wasn't my intention, I think, at the beginning of the day to speak to this bill, but there have been some things said today that have prompted me to do so.

I want to start out on a positive note. That might surprise my friends who are starting to chirp over in the corner, but I'd like to start off on a positive note. That is, and I think it was said earlier in the House today, that we do have a good health care system, albeit it may have some problems.

I've had recent experience, as a matter of fact, in our family where there was a time of need, where there was an emergency, and in that instance our health care system performed admirably well. I know there are other instances, and I hear of them each day in Essex South, where there are problems with someone accessing the health care system for a particular problem, but I don't think we should lose sight of the fact that we have one of the finest, if not the finest, health care system in North America and perhaps even in the world.

Health care is a particular concern in my area. A great deal has been said about it recently in that we're undergoing some radical changes in the Essex South and Windsor areas. Windsor is out of my riding, but the health council affects the residents of my riding. There are attempts in Windsor, and I suspect they'll be successful, to make some changes in the delivery of health care that will result in a considerable amount of saving. I think that's one of the areas we should look at: giving better health care, more efficient health care, but doing it more effectively and therefore in some instances less costly.

In Essex South in particular we have the only hospital outside of the city of Windsor and from there to the city of Chatham. It's a small hospital but it's a hospital that I think delivers excellent care.

There are seniors in my riding who are going to depend more and more each year on our health care system. Those residents of my riding are of course concerned.

Therefore, that brings me to the point of the bill that we're discussing today, that being Bill 110, and in particular to the health care portion of that bill. I agree with what's been said here earlier this afternoon by some



of us on this side of the House, that this is not the time to increase taxes. As I said before, I think it's the time that we look to save money in our health care system in order to deliver it more efficiently.

Let me give you an example of why I don't think it's the right time to increase taxes. Right now the unemployment rate is at 10.4%. The average real gross domestic product growth over the last three years has been 0.3%. In fact, it's been minimal growth. What I am concerned about is that any introduction of taxes at this time, particularly on the self-employed, will impede any growth we may be hoping for in the near future.

The self-employed aren't only the accountants and the lawyers and the doctors. The self-employed aren't necessarily rich people. Of course, it says in this legislation that self-employed who make less than \$40,000 a year won't be affected. I'm glad to see that, because there are a great number of the self-employed who certainly make less than \$40,000.

But it's those individuals we're counting on, who we're asking to make an investment in this province, that we may be hindering with any kind of tax increase at present. As all of us have recently gone about this province and asked that we create an environment in which employment can then be created, again, this is the kind of thing that's going to put the damper on that environment. That's going to put the damper on the enthusiasm for it.

There's been some criticism today of the employer health tax and the fact that it's not related to the number of people it serves, like the old premium system was. But I suggest that our main objective is of course to take care of our people. If we always relate the income to the numbers, why, we may never do some of the things we should for the citizens of our province.

A few minutes ago, the member for Don Mills talked about the increases in taxes that may have been put in place by the current government and perhaps by the previous government, which I wasn't part of, but I certainly represent the party.

1730

When the members from the Conservative Party speak about being the great tax eliminators and the great tax fighters—I just happen to have this with me, just happen to carry it around in my briefcase, because I really didn't intend to speak on this today. But during the last recession, and it may have helped extend that recession, in the 1981 Ontario budget presented by Frank Miller of the Progressive Conservative Party, OHIP premiums were raised by 15%, to bring in \$120 million.

During the last recession, in the 1982 budget, OHIP premiums were increased by \$4 a month for individuals and \$8 a month for families, to bring in \$170 million. During the 1983 Ontario budget, again presented by Mr Miller and the Tory government in power at that time, OHIP premiums were increased by 4.9%. That resulted in \$1.35 for singles and \$2.70 per family—

**Mr Stockwell:** A buck thirty-five.

**Mr Crozier:** But it adds up—for a revenue of \$60 million. These are the tax fighters. He says, "It's only a

buck thirty-five," but it amounts to \$60 million. The point is that they were tax fighters. In 1984, the Tories increased the OHIP premiums again by 4.9%, another \$70 million.

I'm coming to the best part. The interesting thing, and it was my friend the member for Don Mills who brought this up, is that Mike Harris, the tax fighter, supported every one of those tax increases, along with a multitude of others that were on alcohol, tobacco, corporations income tax, social services maintenance tax. That's one that even the current government hasn't been so creative as to bring about: social services maintenance tax. Retail sales taxes were increased while the tax fighter was in office.

What I'm saying is that had I been here then, as I am now, and since we were in a recession then, as we are now, I would have stood up and opposed these increases in tax as well.

Then, in November 1993, just a few months ago, at a speech given to the Ontario Hospital Association, the leader of the third party, Mr Harris, told his audience that he supports user fees for health care. If that isn't a tax on the poor, in many instances, if that isn't a tax on the seniors, then I don't know what is, because a user fee by any other name is just a tax.

What I'm saying in general terms is that it's not the time for a tax increase, if, as it's been suggested before, there ever is a time. So let me make some suggestions. What can we do rather than increase taxes? What can we do, rather than further tax the self-employed at this time, when we want them to invest in our economy, that will allow them to continue to do that? Yet what can we do that will, at the same time, save us money that we can put into our health care system?

I have a card here that was put out by our leader, Lyn McLeod, on changing politics. I'll just take one suggestion from that that may help us in this instance. What we're talking about, if the figures I have are correct, is that we're expecting to raise \$35 million with this particular tax increase, and it's going to result in \$10 million in tax credits, so we're going to end up with \$25 million. How can we find that \$25 million without increasing taxes?

We could reduce the number of political staff who walk around this lovely Queen's Park of ours, that's larger, I'm told—and you have to realize I'm new here, so I need the help of my friends across the way—than at any time in history. Let me take that advice and suggest that we could reduce the number of political staff and save \$2 million a year. You keep track of this, because I'm not so sure I'll get up to the whole \$25 million—but nevertheless.

Take Lyn McLeod's task force on creating jobs. How can we increase our revenues by not increasing taxes, by taking some of the advice of our leader? Our leader said, first of all, and I agree with her, holding the line on taxes to boost business and consumer confidence—just what I said a few minutes ago. We have to create an air of confidence so that things will start going again—perhaps before the member across there was even born. He's such a young fellow.

**Mr Hope:** Just tells you how young I am.

**Mr Crozier:** Exactly. We could reduce the deficit by cutting government spending, by eliminating wasteful programs, and we can encourage economic growth again by kind of redefining the role of government. Get the government out of small business, self-employed people's hair, and they'll create more money for you. The employer health tax and workers' compensation taxes aren't the way to get out of their face.

We could ease the regulatory burden on small business. They tell us that then they'll have more time to get out and increase their revenues and consequently do better for the province. But what is this employer health tax going to do? When you put it on the self-employed, it's going to cause more red tape. They're telling us they want less red tape and we're going to cause more red tape for them. So I think that's something we could do.

I have another suggestion. When it comes to our health care system itself, you just take the commonsense approach. Spend your health care dollars wisely. You could eliminate fraud, and that's been suggested here—abuse, duplication and waste. If you could attack those areas, fraud, abuse, duplication and waste, I suspect that you would even save more than the net \$25 million that this is going to get you.

I do want to mention the one thing about user fees again. In spite of the fact that Mike Harris and the Tories are in favour of user fees, in spite of the fact that they want to tax the less fortunate and the seniors in our province—because the rich people can afford user fees. No problem for them. We, like some of our other friends in the House, want to stay away from user fees, but we, I think, can simply increase the efficiency in our health care system, and as well, since this bill addresses the Workers' Compensation Act, we can increase efficiency.

People asked me, when I was attempting to get the office that I have today: "What is it you're going to do for us when you go down there, Bruce? Are you going to become like the rest of them and just forget about Essex South?"

I said: "No. I'm going to go down there and I think that we can save a great deal of money by simply becoming more efficient, looking at abuse throughout government, not just the health care system or the workers' compensation, but throughout entire"—

**Mr Larry O'Connor (Durham-York):** You won't forget about the people in Essex South?

**Mr Crozier:** I won't forget about the people in Essex South. Thank you very much. I know they want to hear that.

"I'm going to go down there and if I can do one thing only, I'll see that they spend their money more wisely."

*Applause.*

**Mr Crozier:** Thanks very well. My leader made me the associate Finance critic, or appointed me to be associate Finance critic—I guess I have to make myself that—and also put me on the public accounts committee. So there are the two areas where I can look at government spending. I don't think raising taxes at this time, be it the health tax or in workers' comp or any other area,

is the way to attack the problem when we're in a recession.

Ease off a little bit. Back us up from that wall of tax that we've hit. Let's each of us look in our own office, in our own area and in our own ministries where we can save money, and this \$25 million net that you're trying to collect here will come to you, I think perhaps several times over.

Thank you, Mr Speaker. As I said at the beginning of the day, it wasn't my intention to speak to this bill, but there have been some things said that I felt the record should be made straight on that I have had the opportunity to do today, and I thank you very much, sir.

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**The Acting Speaker:** Questions or comments?

**Mr Steven Offer (Mississauga North):** I would like to compliment the member for Essex South in what was his first of many speeches in this Legislature. I think, Mr Speaker, that you, as I know, were listening intently. The member is very adept at his new responsibility, not only as the MPP for Essex South, but also as the associate Finance critic.

I know from dealing with Bruce that he speaks up and loudly for the interests of his constituents, and I think that has come through in what has been his first speech in this Legislature. He brings forward important issues, important issues not only to his own riding but indeed which affect all of the people of this province. He speaks in a manner of determination and of commitment. He speaks intently and intensively about those things which concern him and the people whom he has been elected to serve.

There is no question that in this speech we see an individual who serves his constituents well, and as well serves our caucus well as the associate Finance critic. He brings forward important issues, he brings them forth in a forceful manner, and I would like to just take that moment that is given to me as two minutes to congratulate him on this speech, the first of many in this Legislature over many, many years.

**Mr Frank Miclash (Kenora):** I too would like to congratulate the member for Essex South on some of the views that he has put forward as our associate Finance critic. He indicated about serving his constituents of Essex South, and I must say that we have been happy that he has joined our caucus and I know full well that he will certainly continue to serve those constituents.

The member for Essex South brings forth a good point in his main speech. He indicated that user fees by any other name is just another tax. I must say to him that as we take a look at what this government is doing and how it's increasing those user fees, adding those user fees to various different things, we are certainly seeing just another form of taxation.

He indicated a number of times too that our leader has talked about changing the way we do government and changing what we are doing around Queen's Park here. I must say that the member for Essex South will have a much better chance at serving his constituents after the next election when our leader becomes the Premier of



this province and is allowed to put forth those ideas that she is presently carrying throughout the province.

He said something which sits well as well with a lot of my constituents. Only yesterday afternoon we were at the Ontario Hotel and Motel Association's luncheon, and when the leader indicated that she too would be looking at the cutting of red tape, reduction of taxation and of course above all the creation of jobs across this province, that message was very well received. I must say that's a message the member for Essex South, our associate Finance critic, has carried forth in a very proper manner as well.

Again, if I just might, I'd like to congratulate him on his maiden speech in the House. I can tell his constituents that he will certainly do a good job on their behalf.

**Mr Tim Murphy (St George-St David):** I want to join with the other members in the chorus of acclaim for the member for Essex South, whose maiden speech to this Assembly was an excellent one. I know both the thrill and the challenge that can represent, as it was not so very long ago that I too made my maiden speech in here. I actually was unused to the half-hour time segments that there are and I actually could only speak for 19 minutes. However, I've gotten over that now and I can fill out the time.

I do know, and I want to send a message to those viewers who may be watching, that in the member for Essex South, Mr Bruce Crozier, they have an excellent member, a member who will serve them with distinction and ability and talent and forthrightness for many, many years to come, both as the MPP for the riding and, I know, in greater and wiser and better callings, perhaps a cabinet post. You never know. He has the talent, the ability and the experience in his community. That may come as soon as months away, a few more months, this fall or maybe next spring, when the NDP will meet its comeuppance at the hands of the electors.

I know in my riding, much like the member for Essex South's, the electors are waiting for their chance to vote them out and will be, I think, presented with that possibility and will not feel the frustration, for example, they felt when Brian Mulroney resigned and they couldn't vote him out. They're going to get a chance to vote the NDP out, and they're looking forward to it. I think they will get that opportunity, seeing the comparable choice by the kinds of arguments and skill presented by the member for Essex South on behalf of his constituents, who I know will appreciate in the years to come the kind of quality he brings to the job.

**Mr Stockwell:** On such an important issue as this, it's certainly good to hear from a member who's reasonably newly elected. You forget, I guess, considering the last session that he came in, that this would be his maiden speech. I myself would like to take the time to thank him. It's good to hear from people and the concerns around this province, and those were enunciated very clearly by the member. It was of some interest to hear his rendition of history, certainly during the Conservative years, and maybe ours may be somewhat different. I can only offer my sincere congratulations on his election, because we in this party understand the democratic process.

I would ask, when he speaks again, if he can come back at this issue on another day and work in those actual whole numbers when he talks about the percentage increases to the premiums. It might be of some interest. It would help me certainly when I get up to applaud you next time. It won't be a maiden speech, and you'll find, as Mr Cooke, the Education minister, said, "There are only two times you get applauded by the entire House in this place, and that's when you're welcomed in and when you resign."

**The Acting Speaker:** The honourable member for Essex South has two minutes in response.

**Mr Crozier:** There are two things I didn't expect today. One was to speak, and the second was to hear these nice things said.

I don't want to use unparliamentary language, but my colleague reminded me, when he talked about the percentages and the figures—I'm an accountant, by the way, and I've always been told that figures lie and liars figure. I hope not to do that with any of the figures in the future.

But really, I am pleased to have had the opportunity to address the House today. I hope I was able to add something to the debate and not take too much away so that the net result is too little.

Thank you very much. I know that if you receive me this way each time I speak, my stay here will be most pleasurable.

**The Acting Speaker:** Further debate.

**Mr Stockwell:** This debate has sort of wound its way through quite a number of issues, and it really entered into a different level, I suppose, when the member for Bruce got up and spoke about the health care system in this province and the way it is situated today: the health, in fact, of the health care system—no pun intended—and how we are going to go about, through different parties, rectifying the situation.

I think the member for Bruce used a lot of nice words on how to fix the system and why we need the system to be as universal as possible and to ensure that with that universality, there will be no tax hikes. I know the member for Essex-Kent just commented on the tax hikes and the need to ensure that we don't have any more tax hikes.

1750

But I guess the rub, as far as I'm concerned, is simply this: Something has to give, not just in the health care system but across the entire finances of this province. Everyone in this House seems to stand at one time or another and express to each other about the greatness of this health care system and the universality of it, and the fact it shouldn't be chipped away at from the outside and user fees implemented in any way, shape or form. Particularly on the opposition benches, it's much easier to say, "No tax hikes and no user fees."

I know the government of the day when in opposition mentioned on a number of occasions that it was thoroughly opposed to any form of user fee, co-payment or any program that involved actually paying for health care. We know that today to be a very different position this government has taken. If you want to get an ambulance

in some parts of this province, it costs you money. It costs you money out of your pocket. Many would suggest that that is truly a form of a user fee.

The very difficult problem faced by this government and by a succession of governments, whoever gets elected, is going to be how do you deal with the situation when you have a public out there that says, "We don't want any tax hikes, but we don't want any service reductions."

The only place that they will not debate service reductions appears to be in the health care system. In fact, it seems to be our claim on our culture. There seems to be a move afoot or a mood out there in the general public that what makes you a Canadian is the fact that you have universal access to health care. That seems to be a position proffered by many people out there, and many people seem to buy into it.

What I don't understand, and I put to the government and put to the Liberals and I say it in our caucus on a number of occasions, how can you have universal access to health care and not increase taxes and have no deficit? It doesn't seem to wash. It doesn't seem to make sense.

You've got a health care system that's costing you in the neighbourhood of \$17 billion a year. Now you're only collecting about \$40-odd billion in revenue. If you're only collecting \$40-odd billion, you're spending in excess of \$50 billion now, and your health care system costs you \$17 billion, that means when you talk about priority spending, you're talking about huge and massive cuts in other sections of this government. Case closed. Debate over. You can't have a \$17-billion health care system and collect \$40 billion in revenue, roughly, and then say you're going to balance the budget and have no tax hikes.

Although we use some very nice words and although everyone wants to stand up and be counted on health care and say, "I will not touch health care, I don't believe in user fees, I don't think health care is on the table," then you've got to explain to me and the general public out there, if that is the case, what is on the table? Because if health care is not on the table and you're going to reduce this deficit and balance the budget, you've got to put education on the table and you've got to put social services on the table and you've got to put deficit payments on the table. Because when you deal with a budget, as the Treasurer's going to have to in the next week or so, three sections of this budget chew up enough money that he doesn't have to spend another nickel, and that's how he balanced his budget.

Do you realize that? When you get health care, servicing the debt, education and social services, there's nothing left to spend after that, because you've spent it all, let alone every other minister who sits out there, from the Attorney General to Agriculture to Economic Development to any of the other ministries. There's not a nickel left to spend if those three issues are off the table.

We seem to have decided today that issue one that is off the table is health care. Tell me, aside from all the lovely words, and deal with it in practical economic terms, how it is we are going to provide universal access, maintain levels of social services, maintain spending

levels on education, balance the budget, reduce the deficit and have no new taxes. That's absurd. That's absolutely absurd. It can't be done, because two plus two equals four and it will never equal eight. That's the only way you're going to balance the budget under that approach: if you try and convince people that two plus two equals eight. And that's the dilemma.

Before we finish with the rhetoric, in my opinion, and the kind of glossy, \$10 words about the need for these programs and the sanctity and the fact that they'll never be touched and so on and so forth, fine: You pick your programs that are not up for debate and I'll pick my programs that are not up for debate, and then you go out and tell the public what is going to be axed, what is going to be reduced, what is going to be capped.

We know you're not going to increase taxes and we know you don't want the deficit to go any higher, so my friends across the floor have a very difficult job a week from today. That difficult job is to tell me how they're going to maintain universality and how they're going to maintain all the other programs and how they're going to keep a lid on the deficit, and how they're going to do all that and not increase taxes. I'd say it can't be done.

What is the dilemma? Well, the dilemma is another phrase that seems to be picking up steam as we get closer to the election. It's the phrase of "spending smarter." Some of the other phrases they use are "spending smarter" or "priority spending" and those kinds of things. You know what spending smarter means? Spending smarter means cuts; read "cuts." That's just a catchphrase.

Preston Manning was a good example. He ran in the last federal election and he used to talk about transfers to individuals. Transfers to individuals at a federal level meant—read into that—seniors' pensions. He would cut transfers to individuals; that meant seniors' pensions. They didn't understand that, I don't think, but that's what he meant. So when we hear people talk about "priority spending" and "spending smarter," those are just terms for cuts. And my question is, what are your cuts?

**Mr Sutherland:** You're not supposed to give away your code words.

**Mr Stockwell:** These aren't my code words; these are universal code words. The Liberal book was full of them in the last federal election. Your Agenda for People was a litany of code words; there was a code word for everything. What I'd like the people to come forward and say is not how precious this system we have is; I'd like them to come forward and tell me where their priorities are. Where does spending go and where does it not go? Does it not go to education? Does it not go to social services? Does it not go to health? It has to not go someplace, because \$40 billion is less than \$50 billion, and that's going to happen every day of the week. That's how much money you collect and that's how much money you spend.

I'm going to pick up the action on this debate another day—I'll have 20 minutes to finish—and I want to talk about where my priority spending is. My priority spending involves different things maybe to different people. Yes, I agree with the health care system and I agree with



a system that allows universal access, but I will be frank enough to tell you that if I believe in universal health care and universal access, I'm going to tell you there are places that I think we're going to have to stop spending money, big amounts of money.

**Mrs Karen Haslam (Perth):** Where?

**Mr Stockwell:** In the next 20 minutes I will tell you where those places are, so I expect the member to be back and taking notes.

I will say today, just before 6 o'clock, just before I

adjourn this House, that it's a big day for the member for Yorkview. After one heated debate a couple of years ago I think I offended him, and I'm sorry. I want to just wish his daughter, Nicole, a happy birthday. She's five years old. And I apologize for a couple of years ago.

On that, I will adjourn the debate today.

**The Acting Speaker:** It being 6 of the clock, this House stands adjourned until tomorrow, Thursday, April 28, at 10 o'clock.

The House adjourned at 1800.

## ERRATA

No.	Page	Column	Lines	Should read:
118	5861	2	16	in 20 years, the year ending March 31, 1990." As you
119	5886	1	33	liked to; I certainly did not.

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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Thursday 28 April 1994

# Journal des débats (Hansard)

Jeudi 28 avril 1994



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers

*50th anniversary*

*1944–1994*

*50<sup>e</sup> anniversaire*

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 28 April 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 28 avril 1994

The House met at 1004.

Prayers.

## PRIVATE MEMBERS' PUBLIC BUSINESS

**Mr Norman W. Sterling (Carleton):** Madam Speaker, in the absence of Mr Stockwell, I move second reading of Bill 114.

**The Acting Speaker (Ms Margaret H. Harrington):** Do we have unanimous consent that the member for Carleton move this motion? Agreed.

## PUBLIC SECTOR EXECUTIVE COMPENSATION DISCLOSURE ACT, 1993

### LOI DE 1993 SUR LA DIVULGATION DE LA RÉTRIBUTION DES CADRES DANS LE SECTEUR PUBLIC

Mr Sterling, on behalf of Mr Stockwell, moved second reading of the following bill:

Bill 114, An Act to provide for the Disclosure of Executive Compensation in the Public Sector / Projet de loi 114, Loi prévoyant la divulgation de la rétribution des cadres dans le secteur public.

**Mr Norman W. Sterling (Carleton):** It's unfortunate that my colleague the member for Etobicoke West, Mr Stockwell, was not able to be here with us this morning due to an emergency which arose only a short time ago.

Mr Stockwell's bill outlines a method of requiring those in the public service at the executive level to have their salaries disclosed in a public fashion. I believe this was in response to the requirement by this government that the top executives in private industry be required to have their salaries disclosed in a public manner.

When that bill was brought forward, I believe that many in this Legislature, on all sides of the House, felt it was proper that those people who are in a trusted private category of leading large corporations should indeed have their salaries made public. We found it strangely odd on this side of the House that while we were requiring people in the private sector to disclose their actual salaries, we were not requiring that of public servants.

At the present time one can ask a member of the government to disclose salaries of various and different people within the government. Unfortunately, what has transpired is that you get back from the government a salary range, and those salary ranges can be quite wide.

For instance, not too long ago I had asked for the salary of an employee in a minister's office. I was informed that the salary range was from \$41,000 to \$61,000. Well, quite frankly, that would make up a range of some 35% of the total salary and is unsatisfactory. In other words, there is a great difference between an executive assistant to a minister being paid \$41,000 or an executive assistant being paid \$61,000.

As we go up the scale in terms of deputy ministers,

going up to the level of deputy minister and senior bureaucrat, those ranges would even be much wider than the ones that I was exhibiting there. In other words, you might have a range from \$100,000 to \$135,000.

It's our feeling that everyone in the public service earning over a base rate of perhaps \$45,000 or \$50,000 should have their salary made public. This was the position my party took during recent hearings on freedom of information and privacy in the Legislative Assembly committee during the winter recess, when we were looking over the municipal freedom of information and privacy bill. We believe, quite frankly, that the taxpayer has the right to know what the compensation is for everyone over that category.

It's odd that this was the position of the former Progressive Conservative government prior to 1985. It was only when the Liberal government took over that they started to hide information about what they were paying their particular civil servants. Many of the members of the Legislature here don't recall the change that took place over 1985 when government changed. What in fact had happened at that time was that the new Liberal government coming in in June or July 1985 hired many people out of the press gallery and was quite embarrassed about the very large salaries it was paying off to many of the former press gallery who were there prior to 1985.

In order to hide what those individuals were being paid by ministers, they changed the rules. They said, "We will not tell you how much we're paying to buy off the press," in terms of what happened in 1985. If you recall, back in 1985 and 1986 and 1987 it was a fairly astute political thing for the Liberals to do, because during that period of time the provincial government did enjoy quite favourable press from the press gallery, and quite frankly they just bought them off.

1010

Part of the way they bought them off was to hide what in fact they were paying out as compensation in order to buy off these members of the press gallery. But the people in the press gallery knew what in fact the Liberal government of the day was doing in buying them off. So many of the people who replaced the people who did get into the executive assistant levels of the then Liberal government were pining to go from that place above you, Madam Speaker, down underneath where all the executive assistants sat, because they were being paid quite handsomely.

The Liberals changed the rules so that the public didn't have access to what public servants were being paid. As a result, not only were the Liberal hacks of the day being protected but so was everybody else being protected in terms of the public service as to what they were being paid.

Our position, as I said before, reverts back to where we were prior to 1985. We believe that everybody over a certain level in the public service, not only for the provincial public service but for each municipality and each school board and each agency, their salaries should be revealed to the public as well. I don't understand why the taxpayer shouldn't know that.

It's unfortunate that this has to be redone, that we have to go back. This is only the first step, by Mr Stockwell, the member for Etobicoke West, and that is to take the very, very high levels of compensation given to the executive people who are involved in government and reveal their salaries.

That's the thrust of this bill. It's a matter, I guess, of accountability. It's a matter of freedom of information, allowing the public taxpayers to know in fact what they're paying the high-ranked civil servants of our province.

**The Acting Speaker (Ms Margaret H. Harrington):** Thank you to the member for Carleton for speaking on behalf of Mr Stockwell. Now each party will have 15 minutes in rotation to debate.

**Mr Bruce Crozier (Essex South):** On a point of order, Madam Speaker: I'm relatively new in the Legislature, but it seems to me that I was told or I learned somewhere that it was the government's responsibility to maintain a quorum.

**The Acting Speaker:** You're asking for a quorum?

**Mr Crozier:** I would have thought that they would want to do that this morning with this very important business before the House.

**The Acting Speaker:** Would the clerk determine if a quorum is present, please.

**Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Senior Clerk Assistant and Clerk of Journals:** A quorum is now present, Speaker.

**The Acting Speaker:** Now we may proceed with the debate. I will recognize the member for Essex South—Kent.

**Mr Randy R. Hope (Chatham-Kent):** One more time: Chatham-Kent.

**The Acting Speaker:** Chatham-Kent. Please proceed.

**Mr Hope:** There we go. I appreciate the opportunity to participate in the debate this morning and to comment on the bill as brought forward by Mr Stockwell, the member for Etobicoke West, who is not here. It's unfortunate that situations did prevail, but I will make my comments. I was looking for the theatrics in the 10 minutes that the member for Etobicoke West would have presented to us this morning to liven up our morning, but unfortunately he didn't present us with that graceful gift that he has of theatrics.

Before I begin, I must reiterate right at the beginning of this that I will be voting in favour of this bill, but I do have some major concerns with it.

First of all, as I read the lengthy bill that is presented before us, which is one page, it says, "This act applies

despite the Freedom of Information and Protection of Privacy Act." I ask myself, where does this stop? Does it go on unendingly, without even taking in individuals' freedom of information that they are allowed to reveal and the privacy that is beholden upon people?

We're talking about paycheques of people who collect salaries paid by tax dollars. What if in the information the member opposite who has presented this bill finds out that in the top five is not what he's looking for? Does he come back, introduce another bill and say, "No, no, exactly what I want is the top 10 instead of the top five"? Maybe he discovered that a couple of the salaries that he was looking for are missing. So what does he do? He might step back in the House and introduce another bill, which says, "I need the top 20," until he finds what he's searching for.

It raises a number of concerns to me and it frustrates me that I don't know where the member opposite is coming from. Let's say the information he's looking for in the top five is not there. Does he then step back into this House and repeatedly introduce bills until he finds what he's looking for in the salaries of individuals, maybe names of individuals he's looking for?

I'd just ask the member, and unfortunately I can't, what is his purpose behind this bill. Is the purpose to reveal the salaries that are paid to public servants by the general public, the taxpayers of this province, or is it specifically to deal with only five top people? Is he specifically looking for a name of an individual or the salary range that might be there? I have to ask that serious question, and hopefully the member for Carleton might have the answers for me for the member for Etobicoke West. But I think that's very important.

I did have the opportunity to participate in the Freedom of Information and Protection of Privacy Statute Law Amendment Act, which was debated during the winter sessions. One of the concerns that I would like to see is, why aren't the agencies, the municipal governments, all people, covered by this piece of legislation?

If we're talking about revealing what the actual people who are paid by tax dollars collect, then let's put it all on the table to make sure that everybody has the right to know about salaries that are being paid. That is very important if we're to talk about the need of people to understand what salary ranges are.

As I looked at the bill, I guess I was hoping to hear that in the 10-minute presentation the member for Etobicoke West would have made, which makes it very difficult for us to understand where he's coming from with it. I understand where the member for Carleton is coming from. Yes, he was on the committee. Yes, he presented his feelings as an individual, a member of the Conservative government, of what he would like to see, why it was removed in the past during the Liberals. Why did the Liberals change it and cover that up? I'm not saying there was any wrongdoing; I'm saying they had legitimate reasons for why they felt that salaries should not be revealed.

But it would sure be nice for me, as a new member in this Legislature, to understand that, because I myself look at this bill and it says, "the five highest." What if it's the



highest 10 the member wants? What if it's the highest 20 the member wants, until he finds exactly what information he's looking for so he can carry on with his theatrics in this House and present some corruption case that is there?

But I also ask maybe what—

*Interjection.*

**Mr Hope:** No, I ain't going to ask that one.

**Mr Bob Huget (Sarnia):** Let me. I'll ask it.

1020

**Mr Hope:** You'll ask it? Okay. I really would like to know—in principle, I understand what he's trying to do: revealing to the public. I say it has to be broader information dealing with agencies that have been established by the governments. A lot of the general public don't know of the salaries that are being paid; municipal governments—what exactly their salaries are being paid. People know what our salaries are in this Legislature and I believe the general public, the taxpayers, ought to know what all salaries are.

I think in coming with a piece of legislation that only deals with specific five—I wonder, where does it stop? Does it keep being reintroduced, like 10, 20, 30? What's the end result? "This act applies despite the Freedom of Information and Protection of Privacy Act," which raises a number of serious concerns around how much actual information is there.

I know other members in here wish to comment. I do wish to say to the member for Carleton, I hope you have all the theatrics the member for Etobicoke West has so you can explain exactly what he's trying to get at with this bill.

**Mr Bernard Grandmaître (Ottawa East):** I just want to take the next two or three minutes to respond to not only the member for Chatham-Kent but especially my colleague from Carleton. I find it very—not distressing, because this is, after all, Thursday morning; we'll all be going home this afternoon. But having to listen to the member for Carleton talking about the Liberal Party buying off people—imagine.

*Interjection:* I cannot believe he said that.

**Mr Grandmaître:** Yes. I can't believe this. After all, they had the best teachers in the world, especially Bill Davis. Bill Davis invented buying off people in this province. Just to keep your mouth shut, Bill Davis would create a commission and pay you fabulous dollars, but keep your mouth shut. That was the motto of Bill Davis. Today, this member has the gall to stand in his place and to preach to this House how good the Conservatives were and how bad the Liberals were. I find this incredible. Saying that the Liberals invented buying off people—it's a good thing I had a good breakfast because, I'm telling you, my stomach is weak right now; very, very weak.

I will be supporting this, because it's a friend of mine; it comes from Mr Stockwell. That's the only reason I'll be supporting this bill and not because of the comments of my colleague from Carleton.

In response to my colleague from Chatham-Kent, at the municipal level, I would like to tell you that all executive

members of the municipalities are hired by bylaw and the salary or salaries are mentioned. So at least at the municipal level, where I have more experience than at the provincial level, we're much more open.

But again, I want to remind you that when the Conservatives, or a Conservative, tells us all about buying off people, I can't argue. They have the mould; they invented the mould and they will continue to do it. I just want to remind you, don't be fooled by what the member for Carleton told you.

**Mr Allan K. McLean (Simcoe East):** I welcome this opportunity to stand in support of my colleague the member for Etobicoke West—his Bill 114. The bill is to provide disclosure on compensation for the public sector. If this bill passes, it would provide for the disclosure of information relating to the compensation received by the most highly paid officials in government. In the ministries, it would also include the directors and officials in crown corporations and members of the ministers' staff.

I congratulate the member for Etobicoke West for bringing this important matter to our attention because my constituents in Simcoe East tell me they believe many highly paid officials in government jobs are ripping off the system when they themselves are trying to survive on a smaller paycheque and on fixed incomes. I want to make it clear that I have dealt with many highly paid officials in government ministries, directors of and officials in crown corporation, and members of ministry staff who work very hard. They put in long hours, and I believe they are worth every cent they're paid. But I also know there is always a small group of people who take advantage of the abuse in government that they work for because they believe they're working behind closed doors of a large bureaucracy where no one will take the time to actually find out what they are accomplishing.

Ontario taxpayers deserve and are demanding government officials who are effective and accountable to disclose. Taxpayers understand better than most the need for government to provide services in an efficient, responsible and financially sound fashion.

Another area of concern of my constituents, and a costly concern at that, is that this government has awarded a host of party-affiliated people with high-paying jobs in numerous offices of the government. So I'd like to take you back to the first throne speech of November 20, 1990. Bob Rae, who campaigned on promises of openness and accountability, said the following:

"My government's first challenge is to earn the trust and respect of the people. My government's integrity will be measured by the way this government is run....Our task is to guard against institutional arrogance and the abuse of power..."

I would suggest that Bob Rae got it wrong. His first challenge, his constant challenge, has been to make excuses for the institutionalized bungling of his government and to rationalize why abuse of trust and waste of taxpayers' money has become the dominant characteristic of his administration.

I believe we can take a step in the right direction by restoring faith in the public and government by support-

ing this legislation and providing for disclosure of information relating to the compensation received by the most highly paid officials in government. We in this Legislature are obligated under law to disclose our financial affairs. As far as I'm concerned, that's the way it should be. But I also believe this policy should be extended to non-elected officials who are appointed to highly paid government jobs with little or no say on the part of the people of Ontario.

I also believe this legislation should be expanded to include public disclosure of all expenses of highly paid officials in government ministries, directors of and officials in crown corporations, and members of a minister's staff who are provided with credit cards for use while conducting government business. It is suspiciously like pulling teeth to get this credit card information. Whenever I put a question on the order paper, in fact, there have been times when I have never received this information under the former Liberal or the current NDP governments. What's the big secret? What are they hiding? Could it perhaps be that not all of the credit card billings are related to government business?

We at one time had total disclosure over all salaries of \$30,000. Any employee of the government who made over \$30,000 was in the book. We saw it in the public accounts book; we get that every year, and every employee's salary over \$30,000 was disclosed in that book. It was the Liberals who did away with that.

I would urge the members to support this resolution from my colleague the member for Etobicoke West on this important issue, because I believe it will lead to making Ontario the province of opportunity again. Since 1985, Ontario has been living in a tax-and-spend nightmare designed by the NDP and implemented by the Liberals. Do you remember when that wedding was on, 1985 to 1987? David Peterson, Lyn McLeod and Bob Rae have worked together to make Ontario the most heavily taxed jurisdiction with the most highly paid government officials in North America.

Yes, I remember. I remember in 1985 when I looked at the members of that press gallery and when I looked at the increase in parliamentary assistants' wages. At that time the top parliamentary assistant wage was \$42,000. The new Liberal-NDP administration increased that to \$62,000 so they could hire half that press gallery, and that's exactly what they did.

1030

In 1990, since the NDP has come to power—

*Laughter.*

**Mr McLean:** Well, you can laugh about it all you like, but I'll tell you, the people out there who are paying the taxes are not finding this very funny.

You have now increased that \$62,000 to \$84,000. I understand the new House leader hired a new staff at over \$70,000 with no experience at all. Is that the way you waste taxpayers' money?

Why are we not disclosing what these people are making? I say today, the way salaries have changed, perhaps anybody over \$50,000 should be disclosed so they would know what they're getting.

This resolution that's before us today, Bill 114, is only a start. He wants the salaries of the five highest-paid officials in each government ministry and their names; the salaries of the five highest-paid directors of each corporation and their names; the salaries of the five highest-paid officials in each crown corporation and their names; and the salaries of the five highest-paid members of political staff in each ministry, including the Office of the Premier, and their names.

This bill does not go far enough. I think for anybody who is receiving salary from the taxpayers of this province, there's nothing wrong with having their salary disclosed. We don't mind having our salary and our expenses disclosed. So why is it wrong for the civil service to have their salaries disclosed?

I remember \$30,000 used to be the cutoff salary. Anybody over \$30,000 was disclosed. Today that should be \$50,000. Anybody over \$50,000, their salary should be disclosed.

Then we go on and we look in the public accounts book and it gives us these travelling expenses. That's in the book for different ministries. They have their yearly travel expenses; their names are here. So there we are, and we have other payments, for materials and supplies in each ministry. That's all printed in the book. What's wrong with having the salaries of the senior civil servants printed in the book? I see nothing wrong with that.

I remember when top salary for a deputy minister was \$85,000.

**Mr Hope:** What year was that?

**Mr McLean:** That was 1985. Today we have a salary for a deputy minister from \$103,000 to \$150,000. There's almost \$50,000 in there that—I presume most of them are at \$150,000. I think Robin Sears is about \$145,000. I don't know where he is, whether he's a deputy minister now or not. I think he's maybe in Tokyo.

We owe it to the taxpayers to come clean. What's the matter with telling them what's really happening in government? What's the matter with the civil servants telling the people, when they're driving a government car, what the cost of that is? Do we know? We don't know. But the people are asking that question, and I'll tell you, the people have a right to know.

Since this government came to power, as I said before, we have been the most heavily taxed jurisdiction with the most highly paid government officials in North America. Do you believe that those salaries should be disclosed? I do, and the people in my riding do, and I don't know of anybody who doesn't.

We owe it to Ontario's taxpayers to support this private member's bill. I think it's a step in the right direction, because it does bring accountability. That's what we want to see, but obviously the other two parties don't.

**Mr Pat Hayes (Essex-Kent):** When you look at this private bill and you listen to the speakers from the opposite side of the floor here, you would think the people who have worked for them over the years were all volunteers.

The thing is, paragraph 1(1)4 in this bill: "The salaries of the five highest paid members of political staff in each



ministry, including the Office of the Premier, and their names."

I find that rather interesting when they want to just have this bill deal with the ministries, deal with government employees. I think the members, if they're so concerned, should be disclosing the salaries of all their political staff that they have, and even some of the ones we don't really know about. I think that should be brought forward.

The two opposition parties: When you sit in here from day to day, they remind me of the little kid who makes a mess and then comes to mommy and says, "Will you clean that up for me?" We're having a hard time cleaning up the messes they have created over the years, but we will continue to do so. This government has been more open and up front in disclosing people's salaries, and we've had more public meetings and brought more things out in public than any previous government has ever done in this province.

We support the bill from the member for Etobicoke West in principle, and of course I'll be voting for it.

I have some familiarity with this issue, having had the pleasure of sitting on the Legislative Assembly committee this last intersession and looking at the municipal freedom and protection of privacy act. But after looking at the act, I wonder why the member hasn't broadened the scope of his bill. Why aren't you looking at the public broader sector as well?

Bill 114 covers ministries, crown corporations and ministers' offices. It doesn't cover any government agencies, colleges, universities or transfer partners. I think if we are looking at the question of executive compensation, we have to look at the subject as it applies right across the government. When I speak about right across the government, I'm also including the opposition.

Ten years ago everyone who earned more than \$40,000 had their salaries published in the annual report of the public accounts committee. Of course the Liberals changed that. For what reason, I don't know. Some people might call it a coverup, I don't know. Some people might've said, "We don't want to make the Tories look too bad on some of their golden handshakes that they've had over the years."

#### *Interjections.*

**Mr Hayes:** They've come through with the range, and this is what I'm saying. There was a system in place, and yet the Liberals come back and say, "Well, we got to take that out and we got to make a range because we don't want anybody to have that information," but it's interesting they come here today and they want all that disclosure.

But if you worked in the public service 30 years ago, your salary was on the public record. With the size of the public service growing, it was becoming quite cumbersome to publish everyone's salary.

Of course when we talk about the privacy of the 100,000 government employees, and on top of that the 900,000 broader public sector workers, these things all have to be taken into consideration.

When you look at the question around publication of

salary figures, do we want the top five published? Do we want the salaries of everyone over a certain benchmark published? Do we want them available but not necessarily published? These are just some of the questions.

The issue of compensation disclosure was discussed at length in the committee. I can remember my friend from Bruce talking about problems with people getting salary figures from employees in the municipal sector, and I know my friend from Dufferin-Peel was talking about setting a cutoff below which salaries would not be published. So they're talking a little different tune here today.

I also know that the member from Dufferin-Peel, for example, isn't here today, but he would probably point out that his private member's bill demands that the top five salaries paid to executives of unions should be made public.

I'd like to kind of clear that up, which I did in the committee or I attempted to. Those salaries for top union executives are public. They are set by the union membership at a convention, and they are spelled out in the union's constitution. Those numbers are readily available to the members of the union who elect those executives.

1040

The biggest problem I have with this bill is the fact that again the members opposite are offering a piecemeal solution to a larger problem. This is one of the things that this government has faced. We said, "Let's get rid of all these ad hoc programs from previous governments and piecemeal solutions and throwing dollars at things." That's why this government is in the process of doing long-term planning, long-term programs, for the benefit of the people of this province.

If we pass this one as it stands, can we expect another bill dealing with school boards, another bill dealing with universities and colleges and another bill on municipalities? These members just want to keep coming back with their little piecemeal legislation.

This bill does need amending. I will support it because I agree with the notion of executive compensation disclosure, but I feel this issue would be better served as part of the review of the provincial Freedom of Information and Protection of Privacy Act and the Municipal Freedom of Information and Protection of Privacy Act.

Thank you very much, Madam Speaker, and I'm glad to see the members on the other side finally flipping in the right direction for a change.

**Mr Crozier:** I am always surprised each day I come into the Legislature. We're talking about compensation today, and you know what they always tell you: Advice is worth what you pay for it. The member for Downsview, when I took what I thought was my right in the Legislature, came over and had the gall to chastise me for what I did, when I called the point of order. Fortunately, as I said, I didn't pay him anything for the advice, and it's just exactly what the advice was worth.

I'm also surprised that the members for Carleton and Simcoe East would talk about the Liberals and the NDP and their taxing policies. If my history is correct, Mike Harris, the tax fighter, and some of his cohorts, voted for

the second-highest tax grab in provincial history, \$1.8 billion. So I am surprised that they would criticize anybody else and that they would even consider criticizing the press as being able to be bought off. I believe in the freedom of the press and I don't think that would ever happen in a lifetime.

Notwithstanding all of that, I am also in support of this bill. I only wish Mr Stockwell were here this morning to hear me say it, because there isn't very much I agree with him on.

When I was elected, I expressed to my constituents that it was my intention, for one thing, to go to Queen's Park and monitor all areas of public spending. I went to the people in Leamington and Kingsville and Essex and Harrow and Amherstburg and over on Pelee Island. They're all concerned about government spending. I was very pleased when my leader, Lyn McLeod, appointed me as the associate Finance critic and also appointed me as a member of the standing committee on public accounts.

**Mr Bill Murdoch (Grey-Owen Sound):** Who was that leader again? What was her name?

**Mr Crozier:** That was Lyn McLeod, my leader, Lyn McLeod.

I support any initiative for disclosures on public spending. I frankly can't imagine any party or any government that wouldn't want to be forthright and honest and disclose all manner of public spending. I agree with my friend, the honourable member Mr Hayes, that perhaps this bill should even go further than it does. I'm sure Mr Stockwell would welcome any initiative on the government's part to expand the bill. I'm sure we would all appreciate that. It goes to the heart of the public's right to know. The public has a right to know how their hard-earned tax dollars are spent.

Some of the members of the Conservative caucus, the one from Simcoe East, would probably have us go back. They want to go back. I don't want to go back to the day I made \$160 a month. I don't want to go back to those days.

**Mr Murdoch:** You were overpaid.

**Mr Crozier:** I know I was overpaid. I've always said that if I were paid what I thought I was worth, they couldn't afford me, and if they paid me what I was really worth, I couldn't live on it. So there's nothing wrong with a range that's in between.

I'm most interested in subsection 1(1), paragraph 5:

"Details of the benefits received by the persons referred to in paragraphs 1 to 4, including special purpose loans, loan guarantees, an arrangement for the payment of \$100,000 or more on dismissal or retirement and generally any arrangement that adds substantially to compensation."

That is where the real meat of this is, because that's where the deals were made. Back in the Conservative days, they might not have paid them much up front, but the deals are where you make the money. I want those disclosed as well. It's the taxpayers' right to know what everyone makes in public service and I have no objection to it.

I hope this bill, when it passes—and I'm being optimistic that it will pass and there's no doubt in my mind that it should—will bring under scrutiny particularly these special arrangements that too often have been made in the past and may have cost the government hundreds of thousands of dollars. I feel the spirit of this bill is one that will be informative and will result in a more accountable government.

**Mr Murdoch:** Certainly I am pleased to be able to be here today and speak on this bill. It is unfortunate that Chris isn't here, but I know he would have liked to be here.

It's amazing what we hear from the Liberals. That was quite a speech about not knowing different things, and that the payment up front is more important sometimes than what they pay the people. I guess we could talk about Ellis-Don and Patti Starr and people like that. The Liberals have a lot to come good for, but we certainly do appreciate their support on this bill.

**Mr Crozier:** I may change my mind. Be careful what you say.

**Mr Murdoch:** He mentions that he may change his mind, so I won't go on any further. I'd hate to see you do that.

I also don't think Chris's bill goes far enough. I could agree with Mr Hayes across the floor.

**Mr Grandmaitre:** Bring in amendments.

**Mr Murdoch:** As my good friend from Ottawa says, we may have to bring in an amendment. Maybe when I talk to Chris, we will do that.

He's talking about the five highest-paid. I think everyone's salary should be known. Our salaries are known. They seem to take great delight, when our expenses come out—the media like to get into that and talk about all that. They love to pick on us as politicians. I don't see why the salaries of everyone who works for the province and everyone who works for the government shouldn't be exposed to the public, because they are public servants and they should be. I would have no problem in going further with this.

**Mr Hayes:** What do you pay your staff?

**Mr Murdoch:** The member over there asks me what I pay my staff. If you want to know, you're certainly welcome to come down to my office any day and we'll discuss that. We hear from our good friends across the floor. The union runs all their staff anyway and they pretty well have to pay them certain amounts; they don't have any choice. It's unfortunate.

**Mr McLean:** They're at the top of the scale too.

**Mr Murdoch:** As the member for Simcoe East says, they're at the top of the scale too. We know you're keeping your staff very happy because of the union. If it wasn't for the union in there, you guys would be out of luck, wouldn't you? You wouldn't know what to do then. Fortunately for you people, the union does look after you.

**Mr George Mammoliti (Yorkview):** Is that Mulroney on your tie?

**Mr Murdoch:** What was that, the member for Yorkview?



**The Acting Speaker:** Order. Would the member address his remarks to the Chair.

**Mr Mammoliti:** Is that Mulroney on your tie?

**The Acting Speaker:** Interjections are out of order.

**Mr Murdoch:** I think the member likes my tie. Unfortunately, he should be discussing this issue and not worrying about my tie. Sometimes they do have problems staying with the course of action. We'll just ignore that.  
1050

I wanted to explain that no one party has any title to this bill. We've all had our problems. It was mentioned by the Liberals that the Conservatives voted for a \$1.8-billion raise of some sort, but that was over a decade ago. We've changed; there's no doubt. We have a lot of new members.

**Mr Hope:** That was then; this is now.

*Interjections.*

**Mr Murdoch:** I'm glad to see you caught on. Sometimes you wonder whether they're listening to us, and you have to bring things up to get their attention. I'm glad to see that my friends the Liberals are also awakening to the new dawn, the new era. Under my leader, Mike Harris, they will see a lot of new changes to tax laws and things like that. There will be fewer taxes in this country when Mike Harris takes over, there's no doubt about that.

I just want to bring my support to this bill and hope that the government side over there will also support us in this bill, and go on to the future and make sure that the salaries of the people who do work for the government are exposed.

**Mr Jim Wiseman (Durham West):** I'm pleased to respond to this. This side of the House has been open to reviewing what happens in terms of appointments. That's why we created the review process at the government agencies committee. The opposition parties, of course, have both dedicated themselves to saying that they will eliminate that, should they form the next government. In other words, they would put the appointments and the patronage processes behind closed doors so that the public cannot review them. We striven to open that process to the public.

I will support this bill, because it's been very clear that we support the openness of government. In fact, the Minister of Finance, when he made his comments about the disclosure of executive salaries, made it very clear that we have to find a mechanism to do that with the public service. That was reiterated when the Chair of Management Board came before the committee on the freedom of information act and said he would be happy to hear the committee's comments with respect to pursuing this opening up of the salary information, and went on to say that the proper forum for discussing that issue was in the committee where the Municipal Freedom of Information and Protection of Privacy Act was being reviewed.

I had the privilege of sitting in on that committee while they were reviewing, and I have to say that it is a very complex issue. We heard from people from all over Ontario who brought forward literally hundreds of recommendations. Some wanted to tighten the system up

so that information could not be acquired by the public—I don't support that—and some wanted to open it up to such an extent that personal privilege and personal privacy could be invaded. Of course, we have to find the balance between personal privacy and the right to know and at what point that would do harm.

In closing, we need to take a look at—and I've mentioned this before in a similar debate—the fact that there are broader public service agencies that need to be included, such as school boards, hospitals and all the agencies that are attached to the government or receive public funding.

**Mrs Elinor Caplan (Oriole):** I'm pleased to participate in today's debate, because I think it is really about the public confidence about those who serve the public in all walks of public life, whether they are elected, whether they are civil servants, whether they are bureaucrats, public employees. Actually, anyone who is receiving payment from the government has a responsibility to the taxpayers, whose dollars pay them, to be as accountable as they can be for the dollars they receive from the public.

Today we're dealing with a proposal on the disclosure of executive compensation in the public sector. This has been something I've been very vocal about and in fact have been a participant in, ensuring that there was openness and transparency. This dates back to my days when I was Chairman of Management Board in 1985 in the government, when we brought in the new rules which opened for the very first time the amounts on salary ranges and so forth so that the public could scrutinize and see clearly how much civil servants were being paid.

It seems to me that from time to time it is good to review that and to see whether there is more that can be done. With the advent of the freedom of information and protection of personal privacy legislation, we have, with the experience of that legislation, seen a number of test cases which have given us pause to reconsider so that we can ensure that our dedication to openness and accountability and transparency is there and is there all the time.

It's my view that since this kind of debate is always about the balance between the right of the public to know and the right of the individual to personal privacy, we have to, on the basis of our principles, make those decisions. I'd like to state clearly in the House that my views and my principles are that the tilt should always be to the right of the public to know.

Having said that, I do believe it is possible in the framing of legislation to make sure we are protective of individual privacy. I think that is possible in the way we can have disclosure of compensation and benefits, and I don't think the two are at all incompatible.

The legislation that is before us today is supportable in principle, although I would like to express some concern about some of the individual provisions, because there is a cynicism and a suggestion that perhaps what is occurring is inappropriate. I want to state very clearly that from my experience in government, we frequently had difficulty in attracting people from the private sector to come and work in government simply because we could

not compensate them in the same way as they had been compensated in the private sector.

I don't for a minute want this debate to get into: Do we pay our senior civil servants too much? Are there too many perks and privileges? That's not what this debate should be about; this debate should be about the public's right to know. As we have seen moves for greater openness and transparency in the private sector, certainly we have to make sure that the rules for the private sector are no more onerous than the rules for the public sector. In fact, my view is always that the responsibility of the public sector is even greater.

The rules for the private sector have been to protect and ensure openness and transparency for shareholders and corporations. In the United States, for example, our neighbour to the south and our most significant trading partner, the rules for disclosure of income, salary, perks, stock options and that sort of thing for leaders of public sector corporations probably are far ahead of anything we see here in Ontario. It's one of the reasons I was very supportive of the move to protect shareholders by giving them that kind of information as well.

In that same vein, it seems to me that the taxpayers, who are the shareholders of the corporation of the province of Ontario, if you want to use the corporate analogy, have a right to know and a right to have confidence that public servants, whether they are, as I say, elected or appointed or in the employ of any of the public sector and broader public sector agencies, are being properly and appropriately and reasonably compensated and treated.

I believe that, in the name of accountability and openness, we have to be on our toes all the time. One of the reasons we have to be on our toes and be prepared to review what is existing today is because public cynicism unfortunately is at an all-time high, frankly with a lot of justification. I'm distressed and concerned. I know people don't like anyone in public life; they particularly don't like politicians. That does pain me, because as we want to encourage good people, ordinary people in the province, to run for public office and stand in public life, we have to do everything we can to see that this is a profession which requires and deserves the respect of the public.

This debate is important, and I'm pleased to have been able to participate.

1100

**The Acting Speaker:** The time for debate on this bill has expired. A vote will take place at noon. Sorry. Two minutes to the member for Carleton to respond.

**Mr Sterling:** The member for Oriole, in winding up her speech, talked about public cynicism. I have to ask members of the Legislature, members of the public—this member, when Chairman of Management Board, actually reversed a former regulation which required all salaries over \$30,000 or \$40,000, I'm not sure which, to be divulged.

Now she speaks in the Legislature in favour of undoing exactly what she did when she had the power in the cabinet of Ontario. Then she asks why people are cynical

about politicians. I think she's made a tremendous exhibition of why people are in fact cynical about politicians: "When we were in power, we took away your right to know, and now, when we're in opposition, we want to give you the right to know."

They took it away. The Liberals took it away. That's a matter of fact.

**Mrs Caplan:** On a point of order, Mr Speaker: That is not true. That is a misrepresentation of the facts, and I would ask the member to withdraw.

**The Acting Speaker:** That is not a point of order. The member may continue.

**Mrs Caplan:** That is not true, Madam Speaker.

**The Acting Speaker:** The member for Carleton.

**Mr Sterling:** I stand by my remarks. If any one of you wants to read the history on freedom of information and privacy, if anybody wants to talk about the disclosure of public servants' salaries, that is the history, that is the fact. The Liberals took away the right of the public to know what public servants in this province are making, the exact amount; they took it away. That is the fact, that is the matter.

Now they're playing in opposition the other side of—

**Mrs Caplan:** I'm not going to sit here and let him say things that are absolutely not true.

**The Acting Speaker:** Order. The member for Carleton has the floor. Please continue.

**Mr Sterling:** You know, the truth hurts and I'm glad members of this Legislature are now wanting to revert to a policy which the former Progressive Conservative Party had back in 1984.

Many members have said this bill is too narrow, and I wanted to say on behalf of Mr Stockwell, I'm certain that he would be quite willing to look at amendments which would widen the scope of this bill.

We have had some speakers say this is a proper matter for freedom of information and privacy reviews, but the member must admit that we had a review of the Freedom of Information and Protection of Privacy Act at the provincial level some two or three years ago and there hasn't been any legislation brought forward.

I don't think a private member can be chastised for bringing forward this matter on the public agenda. It's important and I thank all members for their support. We look forward to this bill being called for third reading.

**The Acting Speaker:** Thank you to the member for Carleton. The time for ballot item number 51 has expired and a vote will take place at noon.

#### TOBACCO PRODUCTS

Mr O'Connor moved private member's notice of motion number 40:

That, in the opinion of this House, since more than 4,000 chemicals have been identified in tobacco smoke such as nicotine, carbon monoxide, arsenic, benzene, hydrogen cyanide and formaldehyde, and many of these 4,000 chemicals are known to cause cancer and other diseases when they enter the body by way of smoking and inhaling environmental tobacco smoke, the assembly calls upon the Liberal government of Canada to enact



measures requiring tobacco companies and cigarette manufacturers to make available to the public a list of the gaseous or particle byproducts released by tobacco when lit or smoked, and that the federal government should require that the chemicals in cigarette smoke most harmful to health be listed on tobacco product packaging, and that similarly the chemicals released in smokeless tobacco and absorbed by the body are identified on packaging of chewing tobacco and moist snuff.

**The Acting Speaker (Ms Margaret H. Harrington):** Mr O'Connor now has 10 minutes for his presentation.

**Mr Larry O'Connor (Durham-York):** As all members know, the province has been moving forward on smoking as a very serious issue. In fact, a discussion paper on the tobacco control act was released in January 1993. As that progressed, we heard from over 240 people by way of written presentations, and 34 oral presentations were made to a committee made up of staff from the Ministry of Health as we went through that process.

Over the past few years there has been a lot of action taken on this issue. The chief medical officer of health for the province declared in 1991 in his annual report that tobacco was public enemy number one, and there has been a lot going on. There have been the public ad campaigns that we've all seen, and we all applaud that the ministry has been doing quite well. The annual report by the chief medical officer of health for the province of Ontario, Opportunities for Health, again pointed out tobacco use and the problems related to it.

Through the strategy that is unfolding around tobacco products, we've seen, for example, certain areas that have been targeted through legislation, and, as members of the Legislature, we have been able to deal with that. The Ministry of Health has continued on a strategy for cancer. It's done that with Life to Gain, a document that talks about the cancer strategy for the province of Ontario.

There's a public awareness campaign that's out there. I think in every member's riding back home they've been approached by people in their community who want to talk about the issues and want to talk about it. There's a booklet put out by the Ministry of Health that helps parents talk to their children who are addicted to tobacco.

Yet I think, when I started looking at this issue and anticipating the fast passage through this House—it seems to be delayed at this point, which is very frustrating for me—there is still a problem. When I look at the Globe and Mail, they put a headline on it that I think was really quite useful. On April 14 this year, in one of their articles, it says, "Haze Still Hangs Over Cigarette Contents," and that's what I think was missing.

We all know—we were told as we went through the committee hearing process—that the list of tobacco product ingredients is tremendously long. What was presented to the committee was a list that was obtained from Health and Welfare Canada that was from the US, but it's not a complete list and it doesn't really identify it very well. What I think is missing is the fact that as we go out there in the province and as legislators want to deal with this very serious issues, the ingredient list that we need to know about isn't there. It's just not talked about.

If we take a look, for example, in the Globe, as they've tried to follow up with this, the tobacco industry divulges the list: 13 substances. Well, it's not 13 substances; we know it's more than 13 substances. That's the Canadian list, and the US list is 599. There are so many different things that are put into it, things that are put into the tobacco product to keep it moist so that it'll keep its freshness.

Some of those substances are cancer-causing, and as public health units deal with this—this morning I spoke to the managers of the public health units. They're celebrating their 25th anniversary. They gave me this lovely little mug here. Actually, last year was their 25th anniversary. So here they are, they're going into 26 years.

I talked a little bit about this resolution, and there's a tremendous amount of support for it, because as they go out in the community and support us as members in talking about this, they can't see why the industry won't come clean, why it won't supply a list of all the ingredients.

You know, it's very disturbing, and I'm sure that my colleagues are going to share some of their thoughts around this. I'm sure that as they take a look at this serious issue—you know, 13,000 Ontarians die every year in the province of Ontario from tobacco-related illnesses. That's a heck of a lot. That works out to about 100, Mr Speaker, in your riding, 100 in any member of the Legislature's riding, 100 in my riding.

I was on one of the local cable shows that we all do from time to time and I had a call from a good doctor. The good doctor said, "Larry, you know, that tobacco legislation is terrific. That's really good stuff. In fact, I would have liked to come down and made a presentation at committee." I explained to him, "We had four weeks of public hearings, we went around the province with it, we know there's a lot of support for it, and I appreciate that support that you're giving me."

He said, "You know, Larry, what I'd like to talk about is the real human issues: cancer, the cancer that affects people's lives." It might be a father who's struck with cancer and you've got someone like—my son is seven years old—a parent trying to explain to his child that he's dying of cancer, this awful disease; or somebody else who might be having to explain what the process is, what is going to happen as he goes through this very difficult suffering, through chemotherapy. It's something that's really awkward for people. I think that's where this good doctor wanted to explain this to the committee so that we could have a good round discussion about it and put a human face on it because that's what needs to take place.

1110

I'm sure my colleagues are probably going to take a shot at some of the industry and maybe they deserve that. I think they do. The fact of the matter is, why don't they come up with the list? Why don't they come clean, explain exactly what are the products? "This is the process, this is what we use."

The industry in fact still hasn't even come to terms with the fact that smoking cigarettes can even cause cancer. I'm waiting for the day when I can go through—and

I've got a raft of clippings here, but I don't see a clipping in there that says, "The tobacco industry acknowledges that smoking tobacco products when used properly as directed will cause cancer." The fact of the matter is 80% of all lung cancer is the result of tobacco use. Why can't they come up with that product list? Why can't they just come forward and tell us exactly what's in it?

I know how terribly addicting it is. People say, "They wouldn't tamper with the nicotine levels, they wouldn't do that," yet that's the ingredient that addicts people, that's the ingredient that when our young people try it out for the first time is going to addict them. That's the element there. How many different chemicals are in there? How many different elements are in there? It's part of this problem.

That's why I think there's so much support for moving forward with this. We have to move forward with this. I look forward to the debate that's going to take place and I think we're going to see a terrific amount of support for it.

Let me tell you, when the federal government in Ottawa, the Liberal government, decided they were going to drop the sales taxes, it was like a knife that went through every committee member of social development that was dealing with the tobacco legislation. It was like a knife that cut right through us, the reason being that we heard from people how the prices have an effect. Here it was, the federal government was just helping out the Quebec party, and I felt that was just awful.

The fact of the matter is that a day later Mr Clinton and Mr Chr tien get on the phone to have a chat and they say: "We've got a serious problem here. We've got a problem over in Europe. Do you think we can agree to have some air strikes and deal with this problem?" I agree they've got to talk about that problem; it's something they have to do; it's something they've got to deal with. As international leaders, they have to talk about those things.

There are 40,000 Canadians who die every year, 400,000 Americans die every year from tobacco-related illnesses, yet the two leaders of the two countries can't get together and talk about it. I find it reprehensible that the two of them can't say, "Look, we've got a smuggling problem here, let's deal with that." But they didn't. I'm encouraged that maybe some day they're going to take a look at that and maybe they'll sit down and talk about tobacco as a problem, because I think it is a problem.

I want to support the federal government in their moves. In fact I'm on the list to go to Ottawa on May 10 to support them in their move towards plain packaging. We've got to talk about it, because we can affect people's lives. We can save some lives here.

Our legislation, Bill 119, is focused at young people. The part that was missing out of that, I think, was that list of all those harmful chemicals. We don't even know what they are. What I want to see happen here—I'd be delighted if I see unanimous support.

I hope that maybe I can get unanimous support so that when I go to Ottawa on May 10 I can take that with me: the ingredients that come out when people are smoking

tobacco—we heard about ground glass being put in chewing tobacco—those types of ingredients, that glass. If that's the case, I want the industry to come clean and tell us really what's in those products.

**The Deputy Speaker (Mr Gilles E. Morin):** Any further debate?

**Mr Charles Beer (York-Mackenzie):** I'm pleased to rise and join in the debate on my colleague's motion that would in effect as a result ensure that chemicals released are going to be set out clearly on the packaging, and I think in terms of the principle of this resolution that we would be supportive of that.

In fact I think that the federal government, which is being asked to do this, has begun the process of determining what is the best way to ensure that the ingredients of cigarettes and the ingredients of the smoke, which as a non-scientist I have learned is really the critical thing—that in fact we know what is there.

I understand that, if the federal government proceeds with what is being discussed at this point in time, over the course of the next couple of years what is being set out in our colleague the member for Durham-York's motion would come about. He has made reference to the hearings that are going on. Those will undoubtedly conclude, and I fully expect to see action on the part of the federal government.

I think it's important to underline in this debate, as has been said, the weight of evidence that we heard in the standing committee on the whole question of smoking, and particularly the issue of the health hazards. One of the difficult things with the whole question of smoking has been that while we have a tremendous amount of information on the harmful effects of smoking in terms of heart disease and lung cancer of various kinds, it almost seems in a way that the more information that is out there, we keep running into more people who don't want to believe it, who will simply say: "Look, that's all just kind of propaganda. It's not real."

We see that, for example, in the discussion more recently around the advertising and why it didn't appear to be working with young people and what is the appropriate way to get some of these messages across to younger people. If there was one thing we learned very clearly from the hearings of the standing committee on social development it was that if a young person is not addicted to smoking by the time he or she is about 19 or 20, it is much less likely at that point that they will smoke on a regular basis. So the focus then was, how do we ensure that doesn't happen?

We also saw very clearly during those hearings that a great deal of the marketing of cigarettes was aimed precisely at the younger group, 12, 13, 14, 15 years of age. I think it was a real shock as a parent. Probably just through good luck my own kids had not been all that interested in smoking. I suspect that they had experimented, but it had never become a big thing with them. I wasn't as aware of the kind of marketing that was going on to get young women and young men to smoke.

As we wrestle with this and how we get this message through so it's not simply seen as something where those



of us who are older are trying to tell those who are younger the things that they should and shouldn't do, I think one of the vehicles we have is making sure at least that people have information and that an intelligent, informed person will act on that information.

Clearly, one of those elements then is, "Well, what is on the package?" If you pick up a cereal box or a can of soup and you go to the contents, you get a pretty full listing of what's there. Often, I suppose, a lot of us don't necessarily know what some of the things mean that are there, but we can go and find out more directly, "Okay, what harm might come if I were to eat or ingest that particular product?"

Here what is being looked at and as I understand what has been proposed in the United States is that there they want to list all of the elements that are in the smoke; that it's that combination in particular, once the cigarette or the cigar is lit; that it is at that point that real harm can be caused, not just simply what constitutes the cigarette or the cigar itself. In order to do that, I think, then, we need the kind of thing that is being put forward in the resolution and it's the sort of thing that I believe the federal government in Ottawa is now looking at in very specific and real terms.

1120

I recognize those who've been upset with the federal government for lowering the price. I think nobody from the health point of view—and it's been said many times that that is not helpful. There's no question that the lower the price, the more people will smoke. I do think, in terms of that specific issue, there were some particular problems around the smuggling and what was happening within the society that finally made the determination as to why the federal government did what it did.

That being done, I think, if anything, we have to redouble our efforts, both provincially and federally, around what we can do, what steps we can take to more greatly limit the use of tobacco products. One of those things is going to be through ensuring that we know precisely what is in the cigarette, what it is we're taking in. Then that can also be part of a broad range of educational programs that we can have, whether they are in schools or in terms of public advertising campaigns, again trying to break through that barrier where people simply refuse to look at facts.

I only wish that we could have had some of those people come and look at some of the slides and the material that we had around the diseased lung or heart or even, from the use of chewing tobacco, what that did to people's mouths. I think in some ways that's probably the most dramatic and effective way of showing what's wrong with smoking.

All that being said, we have a major problem. This is one step, I think, towards combating tobacco and smoking. I think over the course of the next two years both the federal and provincial governments will be able to act on this, and this will be of great assistance to us.

**Mr Jim Wilson (Simcoe West):** I am pleased to join for a few minutes in this debate concerning the resolution put forward by Mr O'Connor, the member for Durham-

York. I want to say at the outset that I certainly support the principle of this legislation.

As Health critic for the Ontario PC Party, I just want to say for the record that it is important that consumers, and particularly those who consume tobacco products, are aware of the wide range of chemicals that are contained in Canadian cigarettes. As the parliamentary assistant, Mr O'Connor, pointed out in his remarks, the United States has recently moved on a similar front. I think that consumers, regardless of product in our society, must be made aware and given the opportunity to know what they are consuming. So I certainly support this legislation in principle and note, as with all private members' resolutions and bills before this House, that it's a free vote within our caucus and, I believe, other caucuses.

I also want to just compliment Mr Charles Beer, the Liberal member for York-Mackenzie, who quite skilfully, I must say, steered the social development committee, as Chair of that committee, through the debate on Bill 119. I want to thank Charles on a personal note for his leadership there. He really is a very good Chairperson of a committee. We did have a number of conflicting and often controversial presentations before that committee dealing with Bill 119 and other pieces of legislation that have appeared before the social development committee, and Mr Beer does a very skilful job as Chair.

I do find this resolution put forward by the parliamentary assistant for the NDP somewhat ironic, though, because it was certainly the NDP government here in Ontario and the federal Liberal government that, I think, did more to encourage cigarette smoking in this country and in this province than any other governments in history, and that was by their actions in concert to lower the taxes on cigarettes and tobacco products. Yes, there was a smuggling problem, but I would have thought that the NDP, because it spent a couple of weeks holding out on this issue, would have continued to hold out on the issue and not lower taxes, given that it has Bill 119 going through the House. Bill 119 is their Tobacco Control Act.

I want to set the record straight, with respect to my party, on Bill 119. The parliamentary assistant, Mr O'Connor, has accused us publicly of holding up this bill. I want to remind the people of Ontario that that's just bunk, that the government controls the agenda of this place, that the government has a majority on all standing committees and all committees of this Legislature and certainly has such a commanding majority that neither the PCs by themselves nor the Liberals by themselves nor the Liberals and PCs together can do anything about the agenda in this House, given that the government controls it with its majority. Therefore, if they want 119 to go through, they should bring it back for further debate in this House so that it can proceed to a final vote.

When it did appear in the House a couple of weeks ago, two of my colleagues, Mr Runciman, the member for Leeds-Grenville, and Mr Jordan, the member for Lanark-Renfrew, quite correctly, I think, brought forward some concerns that we had not heard during the hearings at the social development committee. Those were concerns regarding job losses. Since that time, more people have come forward expressing to my party the job losses

that may be incurred as a result of the passage of Bill 119, and particularly the regulatory authority contained in that bill regarding plain packaging. That's what the issue of jobs has centred around, the issue of plain packaging and the printing industry.

I want to read a letter that was sent to me, dated April 18, from David R. Esch. He's president of Rototone. He says: "I'm writing to inform you of the impact of the proposed legislation on plain packaging on my company, and to seek your support in defeating this legislation. I'm the president of Rototone Gravure in Mississauga. We employ 45 people and we estimate that about 50% of our work is for the cigarette industry.

"If this legislation is passed, most if not all of these people will lose their jobs. The 10 people employed by F.J. Murray, our machine shop, will also be unemployed and of course all of our suppliers will be affected."

That letter is the most recent one, and Rototone is located in Mississauga, Ontario, but during the debate in this House on Bill 119, as I said, my colleagues brought forward similar concerns from print shops in eastern Ontario that expressed that hundreds of jobs will be lost. What we've called for is a couple of things.

First is the concerns that were expressed by Mr Runciman and Mr Jordan with respect to their constituents and the job losses that are pending, if this particular section of Bill 119 goes through, that the government respond to their concerns in writing. I've expressed that personally to the parliamentary assistant to the Minister of Health. The Minister of Health herself, Ruth Grier, has asked me what their concerns are and I've expressed those to her and asked her to put the government's response in writing, because I think it's only fair that Mr Runciman and Mr Jordan be able to take back to their constituents in writing exactly what the government's position is with respect to plain packaging.

Secondly, I think the jobs are a very important issue. I want to just quote from the Minister of Health's statement to this House last week, dated April 21, when she was announcing a new economic development study that had been conducted in the health care field. On page 3 of her announcement in this House she says: "A recent study found that physical and psychological stress associated with unemployment costs Canada \$1 billion a year in extra health care costs. It's clear that our physical wellbeing depends on our economic and social wellbeing, and that's why job creation is a health issue as well as an economic development issue."

We've been a long time stressing to this government that health care must become one of the engines that drives the economic recovery, and rather than the punitive measures we've seen this government bring forward on the heads of health care professionals and hospitals and health institutions in this province, we would like to see the government change gears and look at health care as an economic development opportunity and an export opportunity and we'll continue our push in that regard.

But we finally did have the minister last week coming to the realization that health care is an important part of our economy. We'll have to see what the government does to live up to that quote I just read from the minister,

but also we finally have a recognition of the importance of jobs. People like Fraser Mustard and other economists and scholars throughout North America and the world have consistently told legislators that jobs are a very important part of the health and wellbeing of any economy and its people.

1130

In fact, the best thing that can be done right now in Ontario, in my opinion, as Health critic for my party, is that we put people back to work; that we allow businesses, in particular, to put people back to work. That's the best thing that the parliamentary assistant for Health can do, that's the best thing this government can do, for the health and wellbeing of the people of this province. There is lots of literature to support that this is the direction that health care must go in this province, and there has to be a better relationship between the Ministry of Economic Development and Trade and the Ministry of Health.

The other thing that was called for by my colleagues from eastern Ontario, during the debate on Bill 119, is a full public hearing in consultation with the federal government so that it not only includes the people of Ontario but the people of Canada with respect to the issue of plain packaging. Unfortunately, and in hindsight, I do say that we did not hear from the other side of the issue with respect to plain packaging during the hearings on Bill 119.

The government's position to date is that plain packaging and the regulatory authority contained therein in the bill were very much a part of the public hearings, but it really wasn't. It played a minor role in those hearings, and there was not a significant focus on the issue. Nor did we have witnesses from, for example, the printing industries come forward and tell us about the impending job losses should such a move be contemplated.

I think it's only fair, and I join with my colleagues in calling upon this government, to remove that clause from Bill 119 so the rest of the bill, which is pretty good legislation, can move forward and that we set it aside and ask the government to hold public hearings on plain packaging in concert with the federal government, because we want to hear from all concerned individuals and citizens in this province with respect to that issue before any government moves ahead with such a significant step.

We also need a better understanding of the studies that have been done on the effect of plain packaging, and particularly how plain packaging may or may not serve as a deterrent for young people to start smoking. That's the objective of Bill 119. My party supports the objective of Bill 119, which we are told is to stop young people from starting to smoke. I think all legislators support that. With respect to plain packaging, though, we need a fuller airing of the issues surrounding that important initiative.

**Ms Jenny Carter (Peterborough):** I rise to support very strongly the motion by my colleague the member for Durham-York.

I was present at several of the meetings held by the standing committee on social development to hear presentations on the proposed Tobacco Control Act. I



knew already, of course, that tobacco is a health hazard, but the evidence, presented largely by doctors, pharmacists and educators, was overwhelming.

There has been denial, particularly by cigarette companies, that the mounting statistical evidence proves the deadly nature of addiction to tobacco, but the evidence is now in. It is grisly and it is overwhelming. There are 13,000 deaths per year in Ontario which result from the use of tobacco; that is, 100 deaths for every member of this House, as my colleague has just said.

That is the population of a small town such as Niagara-on-the-Lake. That is almost five times the number of people who die from traffic accidents, suicide and AIDS combined in this province. One person dies from tobacco every 40 minutes in Ontario. To a young person, these figures may seem very abstract, but I can think of a neighbour, a colleague, a fine Canadian writer and Family Court judge, known to me personally, who died too young from smoking.

Tobacco causes 80% of lung cancer, and lung cancer is usually fatal within two years of diagnosis. One third of deaths from heart disease are smoking-related; bronchitis and emphysema can make life miserable for years; and stroke, cancers of the mouth, throat, oesophagus and bladder are hardly mild afflictions and are linked to tobacco smoking.

These effects do not usually occur quickly. There's a gradual erosion of health over time. Ill health caused by tobacco use is a financial drain on our health service and a cause of lost workdays and economic loss.

The committee heard from a 12-year-old boy that in spite of regulations, he had been able to buy cigarettes in five of eight stores where he'd asked for them, including pharmacies.

We learned that the hazards of smoking are by no means confined to the person who smokes. Secondhand smoke causes cancer in non-smokers. Many people have found their place of work intolerable and dangerous to their health or have been unable to attend meetings or other events because of smoking by others.

Children and infants are particularly at risk. We were told that in northern Ontario, the problem is worse during the winter months because buildings and vehicles are closed up tight to keep out the cold. Asthma among children is on the rise and has reached alarming proportions. Mothers who smoke are liable to have low-birth-weight babies who are prone to health and developmental problems.

We heard that chewing tobacco, sold to youngsters in the States as being less addictive than smokes, can lead to oral cancer and other health problems.

We have to take all reasonable measures to discourage smoking. Tobacco is the only substance that kills when used exactly as directed. It is also said to be more addictive than heroin.

Our Tobacco Control Act is a good start and is aimed particularly at preventing children and teenagers from taking up the habit. Few people start to smoke after the age of 20.

We were making progress in the reduction of tobacco

use in this province. Public education campaigns, the proposed raising of the legal age for tobacco purchase, banning of sales from pharmacies and vending machines, the increase in designated non-smoking areas and plain packaging will all help. But the unfortunate response by the federal government to increased tobacco smuggling which has forced us to reduce tobacco taxes in Ontario is leading to a rise in smoking, the effects of which are yet to be seen.

We cannot prohibit the use of tobacco—it is too well established for that—but we can and must take every possible measure to deter its use. This resolution will help. I strongly support it and I want to thank all those people in my riding who are working hard to reduce the use of tobacco.

**The Deputy Speaker:** Any further debate?

**Mr James J. Bradley (St Catharines):** Thank you for the opportunity to speak briefly on this piece of legislation, or rather this resolution.

I want to first of all lament, as I have on a couple of occasions, the fact that I believe the private members' hour has been turned into a political forum for the political parties as opposed to the concerns of individual members. This is an example once again of dealing with something that's clearly outside the jurisdiction of the Ontario government. I would have preferred, and I've seen, some resolutions from members on the government side and from opposition members that have been specific to their ridings or very direct specific concerns. This is simply another fed-bashing initiative on the part of a member of the government because they want to run against the federal government in the next election. That does not influence my discussion of the particular measure that's here, but I really think it distorts what this Legislature is all about.

I've watched this Legislature for 17 years, and it used to be that the private members' hour was in fact the private members' hour. The odd time there would be what you'd call things that would be dictated by the caucus office or the government or something like this, a strategy that you would face with the government, but it used to be genuinely, I think, a matter of concern, first of all, within provincial jurisdiction, and secondly, genuinely an individual's concern.

I'm not suggesting that Mr O'Connor is not concerned about the issue. I think he is, as all members are. I just find this part of a pattern of, why don't we bash somebody else? Next week they'll have one where we'll bash the banks, and after that we'll bash the opposition parties. It will happen. Unfortunately, it will happen with the opposition parties as well. So I don't lament it simply on the basis of the government doing it; I lament the fact that this private members' hour has turned into a very partisan forum.

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The resolution itself, however, is before us. I would like to discuss aspects of it, because I think in its content it is to be supported. I happen to feel very strongly about the issue of smoking, particularly among young people in our society.

The provincial government has within its purview a lot of powers to deal with matters of this kind. Even with this resolution, the provincial government, while it may not have constitutional jurisdiction to require that the companies provide this, a very strong message from the Minister of Health demanding that particular information for those cigarettes sold within the province of Ontario would certainly be extremely helpful and difficult for the companies to try to resist.

I found rather interesting, as I think all members of the House did, the hearings that were conducted by a committee of the House of Representatives of the United States, where the major manufacturing companies had their top people brought before this committee. There were some interesting and revealing exchanges that took place on this occasion.

I think what we're really aiming at are two things. First of all, this resolution deals with the contents of the product. No matter how people feel about smoking—and some people are very resentful when they get preached at for smoking—one thing everyone is entitled to, and the federal authorities have been moving towards this for some time now and will continue to do so, is the revealing of just what people are smoking. At least people should know the contents and the adverse or positive effects of those contents. I would suggest that overwhelmingly in this instance it is a negative effect on the health of people. Any time legislators at any level of government are in favour of revealing facts, of revealing information for people so they can make their own judgements, I think that is extremely beneficial.

All of us are concerned about this, but particularly among the young people who are starting out smoking. I've discussed this with a number of young people, and there's a natural reaction to those of us who are adults, perhaps who have some more experience. We have all had the opportunity, and it's not a pleasant opportunity, of seeing some of the effects of smoking, particularly serious diseases related to smoking. I have often thought, morbid as it sounds, that it would be interesting to have young people go through the wards of various hospitals where people have been affected by tobacco products being smoked or perhaps chewed to see what the effect can be. It's always something distant for young people, something they feel they're not vulnerable to, and I think it's exceedingly important.

Young people are interested in information. I think that's why the information that would be forthcoming from what is asked for in this resolution would be useful for those young people to know. A lot of them are interested in science. They are interested in health facts. They often will say to you, "Why don't you give us the facts, and we'll make a decision." That doesn't always work, and sometimes government has to be more heavy-handed than people would like.

Many of the initiatives discussed at the committee of the Legislature that's been dealing with this and by those who had input are very, very positive, and listing and telling the effects of the contents of that found in cigarettes and cigars and other tobacco products is extremely important.

It is, in my view, one shared by members of the medical profession, probably the number one health hazard we face at this time, not to suggest that there aren't others, but the effect of smoking cigarettes, cigars, cigarillos and other things people smoke is very pronounced on people.

I suspect that most of those who are smokers, and perhaps even some members of the House are smokers, would like to quit. If you asked them: "Do you enjoy smoking? Do you really want to go on smoking?" most would say, "I don't want to, but I'm addicted to it." That gets down to the point the member has brought forward in his resolution, that there are addictive materials found in those tobacco products. That's why it's important to have this information revealed.

I hope within provincial purview, within our jurisdiction here—and I think there's a pretty good consensus; this is one issue that's not overly partisan. There are always partisan considerations, but within the provincial purview, I think there's a strong consensus within this House for the provincial government to initiate many activities that would discourage young people particularly from smoking and encourage those who are older and committed smokers not to do so.

This resolution, if passed, will be helpful in focusing on that issue, and I certainly encourage all members of the Legislature to do what we can within our own jurisdiction to ensure that there's a diminishing in the smoking taking place in our province.

**Mr Norman W. Sterling (Carleton):** I come to this debate having been involved in it now for about eight or nine years. I think it's important that people know the ill effects tobacco can cause them, and the listing on a package of cigarettes of the various contents no doubt would be helpful.

I find it somewhat a concern, though, as a member of the provincial Legislature, that the parliamentary assistant for the Minister of Health brings forward a resolution which basically is thrusting responsibility or onus or burden upon another level of government. I would have much preferred that the parliamentary assistant for the Minister of Health had brought forward some kind of resolution which would push his government, push us in this Legislature, to take some action rather than shifting the burden to another level of government. For that reason, I find the resolution somewhat weak.

It's passing strange too that Bill 119, which is in front of this Legislature at the present time, empowers this government to do this very thing on its own. Section 5 of Bill 119 provides that:

"No person shall sell or offer to sell tobacco at retail or for subsequent sale at retail or distribute or offer to distribute it for that purpose unless...

"(b) the package bears or contains a health warning and other health information in accordance with the regulations."

That says to me that this government, this parliamentary assistant, has the right to make regulations through the cabinet doing exactly what he's asking the federal government to do. So why is the parliamentary assistant



saying, "They should do it," rather than "We should do it"?

If the parliamentary assistant wants it to be done Canada-wide, and I think it makes some sense to do it Canada-wide, why would he not then say, "Provided that, if it's not done by" such-and-such a date, one year, two years hence, "the provincial government do it on its own under Bill 119"?

It's quite clear, in talking to legal counsel on the social development committee, that the provincial government probably has the power to require this on packaging. In fact, if that were not the case, the section I have just read in vis-à-vis Bill 119 would not have been included.

We have had some debate on Bill 119 with regard to packaging, plain packaging etc, and my colleague has mentioned something about it. I don't believe the threats of the various tobacco packaging people at this time, but I do believe there should be some more debate on it. It's interesting to note too that section 5, as it has been argued in the committee, existed in Bill 119 since it was introduced back in November 1993. These packaging companies did not choose to come in front of the social development committee to make their case. There has been some prior notice to them to come in front of the legislative committee and say this is going to cost jobs in various communities across Ontario.

The amendment to the regulations section of the bill only made it more crystal clear that in the contemplation of this government there might be plain packaging somewhere down the road. Therefore, the idea that there has been no notice to the tobacco industry, to the tobacco packaging people, that plain packaging might have been in contemplation is not exactly correct. They had an opportunity to come before the social development committee to make their case and chose not to. So we are now caught in the conundrum of passing Bill 119 with them now claiming they did not have prior notice of this.

At any rate, what I would urge the government to do right now is dedicate part of the tobacco tax to help people in the tobacco packaging area, in case plain packaging does come and jobs are lost, so that these communities will be assisted by such a dedicated tax in the future.

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**Mr Gary Malkowski (York East):** I'm very proud to participate in the debate today to support the resolution of the member for Durham-York.

The issue and the message calls for great cooperation by all levels of government: municipal, provincial and federal. This seems an appropriate place to raise the resolution, because we do require the list of all the chemicals and things that are included in tobacco products. What we need to do is make sure that young people are aware of what chemicals are in them and how the chemicals can affect their health and what problems can be caused from them.

I'd like to remind the members and remind people, both smokers and non-smokers, that we can give them more information about the deaths that happen as a result of using tobacco products. We have to remember that

every 40 minutes there is the death of someone who has used tobacco products. We need to realize that those chemicals can affect health. When it is lit, the gaseous particles or the byproducts that are in the smoke and consumed or ingested by the body have an impact on us.

It can cause an increase in heart disease and lung cancer. There can be chronic bronchitis and emphysema. There is the problem of cancer of the mouth, cancer of the throat and cancer of the oesophagus. With young mothers who are pregnant, this smoke can have an impact on the foetus and there can be very low birth weight and that will have an impact on the children. Also, sometimes it can affect the foetus so that there are some disabilities.

It's curious that the federal Liberal government was so concerned about the issue of smuggling and the economy that it ignored the issue of people's health and how smoking can affect people. I think we require cooperation from the federal government. I'm a parent of five small children and I know it's difficult for parents to talk to their kids about this issue and not to sound like they're preaching, but it does require everyone's cooperation.

I would ask that the federal government and tobacco companies be made to list the individual products, the more than 400 things that are included in their products and the health effects they can cause. The tobacco industry denies there is any connection between what they include in their products and health, but there is proof. I think the denial shows clear irresponsibility.

In the borough of East York, the borough of East York health unit has done a lot of research. There is also the Ontario tobacco strategy which has been developed by our government. There are many different groups that are collecting information and evidence through research on the number of deaths that are happening from tobacco use. There is this information, as well as the young mothers again who have the unborn children who are affected by their smoking.

To wrap up, I would like to say that this resolution be supported by all members. We also call on the municipal government and the federal government for cooperation, because what we need to do is get the best information that will have an impact on young children to prevent them from smoking and that will keep them healthier and able to live longer. I would just like to remind members that young people think smoking is really cool, but it isn't. It kills, and that's the message the young people need to learn.

**Mr Gordon Mills (Durham East):** I'm very pleased to stand in my place this morning and speak to this resolution, and a very fine resolution, I might say, by my colleague the member for Durham-York.

The basic issue we're talking about here this morning is that people have a right to know what's in cigarettes, what's in tobacco, what's in chewing tobacco. They have a right to know, and they're denied that at the moment. I think that's absolutely criminal.

I find it very strange indeed that when I go to the grocery store, as the honourable member opposite said in his comments, to buy a box of cornflakes, listed there-upon are all the ingredients in that box of cornflakes.

Likewise, when I buy a vitamin pill, should I need one—I don't—there are all the ingredients about what you're going to digest in your system. But here we have a system whereby cancerous substances are introduced into cigarettes and by this wonderful quirk of, "Oh it's our secret; you're not supposed to know," nobody knows what they're taking into their system. If they knew what they were taking into their system, I think it would have a tremendous effect on smoking, particularly smoking by young people, which really is what we should be focusing on.

I found it also very interesting that in the United States they've had extensive debate about the ingredients in cigarettes, tobacco etc, and it's a known fact that some of the ingredients that are introduced into tobacco products by some of the manufacturers are not fit to be put in a toxic landfill site. They're so toxic that you would have to make special arrangements to dispose of them; You just can't ditch them out. Doesn't that give us the message?

If a food manufacturer, say—and we'll use cornflakes as an example because most people eat cornflakes—were introducing some cancerous, toxic ingredients into the cornflakes, I would imagine there would be a public outcry of proportions you wouldn't be able to contain. People would march on Parliament Hill in Ottawa, and I've no doubt they would march on the Legislature here, demanding that we do something about this. In turn, I'm sure the manufacturers would be locked up for a very long time for killing people all over the place. Yet we seem to accept this and we seem to think this is wonderful.

I was very upset to hear some of the comments from the Conservative Party in so far as the packaging and the job loss. I recognize too that there's a certain amount of job loss, but when you compare—I think the member for Simcoe West referred to 13 people who may lose their jobs, and in the meantime we've got thousands and thousands of people who perish every year through tobacco products. I don't think that makes a very logical argument. It almost seems they're apologists for the tobacco industry.

I'd like to bring up the New York Times Magazine. It says: "Hi folks. Mr Butt's here. Ever wonder what it takes to be a top tobacco industry executive?" Then this next cigarette says, "Well, to begin with, you've got to be absolutely nuts about freedom, I mean certifiably nuts about freedom, and you have to love choice," it says. The headline of the New York Times Magazine article says, "How Do They Live With Themselves?" How do these tobacco executives live with themselves? How do the people live with themselves who criticize my colleague's resolution? How do they live with themselves? I say shame on all of them. This is such an issue that no one should stand in their place and criticize my friend at all. It's absolutely diabolical to suggest that he has some motives that aren't for the health of this country. It's awful.

Then we have the executive from Philip Morris who says: "I don't know how I look at myself in the mirror. I wish they wouldn't say things about me like that." This

is the executive from Philip Morris; he's ashamed of himself.

**The Deputy Speaker:** The member for Durham-York, you have two minutes.

**Mr O'Connor:** I want to thank the members who participated, the member for York-Mackenzie for his support.

The member for Simcoe West complained that the federal government and the NDP were caving on the tax issue. I wish the Tories, when they were in power, had dealt with it properly. I wish they had stuck with the excise tax. Four weeks, it took them, to cave. They're the party who talks about business, yet they don't care about those retailers who are on the Ontario-Quebec border. I find that passing strange.

The member for St Catharines mentioned you should talk about your local constituents. That's the thing. The fact is that each and every member of the Legislature has a hundred people in their riding who are dying from tobacco-related illnesses. I've got proactive groups in my riding such as the Coalition for a Smoke-Free Uxbridge. I told them some of the things I'm doing on this issue, and they sent me this little book, *Where There's Smoke*. It's a children's book and one I would advise every member of the Legislature to get a copy of. I'll have an opportunity to speak in my riding about this at the Georgina Festival of Stories, and this is the book I'm taking this year. This isn't something about bashing one level of government or another; this is about a hundred of my constituents who are going to die prematurely, who don't need to, and that's not a partisan issue.

I thank my colleagues the members for Peterborough and York East and Durham East for their thoughts, their suggestions and their support.

To the member for Carleton, I'd suggest he read the reprinted edition of Bill 119, because section 5 covers it. It's unfortunate that he hadn't, but we talked a little bit and we can talk some more. Unfortunately, Bill 119 is being held up. My opposition colleagues told me they're going to drag it through committee of the whole House, with half-hour bells on every section. Not to bash them, I think that's unfortunate. This resolution is about all of our constituents and all those people who are going to die not knowing what's in tobacco products, and I suggest that Pat Borders might want to quit.

**The Deputy Speaker:** The time provided for private members' public business has expired.

#### PUBLIC SECTOR EXECUTIVE COMPENSATION DISCLOSURE ACT, 1993

#### LOI DE 1993 SUR LA DIVULGATION DE LA RÉTRIBUTION DES CADRES DANS LE SECTEUR PUBLIC

**The Deputy Speaker (Mr Gilles E. Morin):** We will deal first with ballot item number 51, standing in the name of Mr Stockwell. If any members are opposed to a vote on this bill, will they please rise.

Mr Stockwell has moved second reading of Bill 114, An Act to provide for the Disclosure of Executive Compensation in the Public Sector. Is it the pleasure of the House that the motion carry?



All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members; this will be a five-minute bell.

*The division bells rang from 1204 to 1209.*

**The Deputy Speaker:** All those in favour of the motion will please rise and remain standing until your names are called.

#### Ayes

Abel, Arnott, Beer, Bradley, Callahan, Caplan, Carr, Carter, Crozier, Duignan, Eddy, Frankford, Grandmaitre, Haeck, Hansen, Harrington, Hayes, Hodgson, Hope, Huguet, Johnson (Don Mills), Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lessard;

MacKinnon, Malkowski, Mammoliti, Marchese, Marland, Martin, Mathysen, McLean, Miclash, Mills, Morrow, Murdoch (Grey-Owen Sound), O'Connor, Offer, Owens, Phillips (Scarborough-Agincourt), Poole, Rizzo, Sola, Sterling, Stockwell, Sutherland, Tilson, Turnbull, Wessenger, Wilson (Kingston and The Islands), Wilson (Simcoe West), Winninger, Wiseman, Wood.

**The Deputy Speaker:** Those opposed to the motion will please rise and remain standing.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 54, the nays 0.

**The Deputy Speaker:** The ayes being 54 and the nays 0, I declare the motion carried.

Pursuant to standing order 96(k), the bill is referred to the committee of the whole.

**Mr Chris Stockwell (Etobicoke West):** Mr Speaker, considering there was unanimous endorsement by this House and unanimous across the floor, could I rethink the motion? No, I'm just kidding. Considering that it's unanimous, can I ask that it be moved to the public accounts committee?

**The Deputy Speaker:** Shall it be moved to the public accounts committee?

All those opposed will please rise.

All those in favour will please rise.

A majority is not in favour. Therefore, the bill is referred to the committee of the whole.

#### TOBACCO PRODUCTS

**The Deputy Speaker (Mr Gilles E. Morin):** We will now deal with ballot item number 52, standing in the name of Mr O'Connor.

If anyone is opposed to a vote on this bill, please rise.

Mr O'Connor has moved private member's resolution number 40. It is the pleasure of the House that the motion carry? Carried.

All matters related to private members' business have been debated. I will now leave the chair and the House will resume at 1:30.

*The House recessed from 1214 to 1330.*

#### VISITORS

**Mr Gregory S. Sorbara (York Centre):** On a point of order, Mr Speaker: Just very briefly, if I might, as a point of order, take the opportunity to introduce to

members of the Legislature a delegation from Pescina, Italy, led by the mayor of Pescina, Vincenzo Parisse, and welcome them, about 20 visitors in the members' gallery west. We're very pleased to have them here in Ontario and visiting our Legislature.

**The Speaker (Hon David Warner):** The honourable member will know that he does not have a point of order. However, our visitors are very special visitors. They're most welcome to this, our assembly of Ontario.

#### MEMBERS' STATEMENTS

##### LEGISLATIVE ASSEMBLY PRESS GALLERY

**Mr James J. Bradley (St Catharines):** I rise today to offer congratulations to the new executive of the Queen's Park press gallery. The gallery's annual elections were held today and for the first time in recent memory there was a contest for the position of president. Richard Brennan of the Windsor Star, sometimes known as Mr Congeniality, edged out Guy LePage of CKCO-TV in Kitchener, 20 votes to 18.

Much of the credit for Brennan's landslide victory goes to Brennan's campaign manager, Jim Coyle of the Ottawa Citizen. Coyle came up with Brennan's campaign slogan, "Better the devil you know."

There is good news in today's election for those of us who are long-serving incumbents and thinking about re-election. Mr Brennan, who is known by his nickname, the Plain Dealer, is serving his fourth term as president, the longest in press gallery history.

There is also a lesson for the government in Mr Brennan's victory: Brennan has never broken a campaign promise because he has never made a campaign promise. Mr Brennan won under difficult circumstances. As the government members know, Mr Brennan and Mr Coyle are under police investigation over a leaked document concerning the Windsor casino.

When will this cloud be lifted from these two crusading journalists? Free the Press Gallery Two.

The other four positions on the executive were acclaimed, the envy of all politicians: Emilia Casella of the Hamilton Spectator, vice-president for print journalists; Guy LePage, CKCO-TV, vice-president for electronic journalists; Randy Rath, CHCH-TV Hamilton, treasurer; and Betsy Powell of Canadian Press has been acclaimed as secretary.

I hope all members will join me in congratulating the new executive of the Queen's Park press gallery.

#### TAOIST T'AI CHI

**Mr David Tilson (Dufferin-Peel):** I'm pleased to announce to the House, on behalf of the Taoist T'ai Chi Society of Canada and its founder, Master Moy Lin-shin, the following statement: In celebration of the Taoist T'ai Chi Seniors' Health Day, to be held next week at Nathan Phillips Square in Toronto from 1 pm to 3 pm, there will be demonstrations of Taoist t'ai chi by seniors, who will demonstrate first hand the health-improving benefits of this complete physiological exercise.

In celebration of this event, all regular instructors' fees for Taoist t'ai chi classes for seniors will be waived for the remainder of 1994. The vast majority of these classes are funded by government agencies. In these difficult

times, Master Moy would like to recognize the support he personally and the Taoist T'ai Chi Society, a registered charity, have received over the years by returning a helping hand.

In Metropolitan Toronto, Taoist t'ai chi is taught at over 60 locations weekly. In other parts of the province, approximately 20 more classes are taught to seniors. The waiving of fees for these many weekly classes is a considerable undertaking.

The aims and objectives of the Taoist t'ai chi society are to promote the health-improving qualities of t'ai chi and to make t'ai chi available to all, to promote cultural exchange and to help others. The Taoist t'ai chi society hopes that all gestures of mutual supportiveness will create a climate of goodwill and cooperation among us all.

#### ACCESS TO CHILDREN IN CUSTODY

**Mr Tony Rizzo (Oakwood):** I would like to bring to the attention of the House the problem of grandparents who have been denied access to their grandchildren. When there is a divorce with children involved or when one parent dies, very often grandparents can be caught in a conflict where they are prevented from seeing their grandchildren. This is unfortunate and unacceptable.

While the best interests of the child must always continue to take precedence, I strongly believe that the Children's Law Reform Act should be amended to prevent a parent or person with custody from placing unreasonable obstacles between children and their grandparents. We must ensure that the emotional ties between them are not severed as a result of a parental conflict and that access to children is not restricted by a child's guardian. Sadly, this is often the case and children are regularly denied the privilege and enjoyment of their grandparents' company. The result is a loss of their rightful heritage.

Later today, I will introduce a bill to address this very issue and I strongly encourage all members of the House to support it.

#### GOVERNMENT SERVICES

**Mr Hans Daigeler (Nepean):** Today, I would like to do something that perhaps doesn't happen often enough in this House and that is to congratulate and thank the Ontario civil service. Frankly, independent of the parties, there are civil servants out there who are doing a good job, who are trying to do their best under the circumstances.

Last week, I came across an example that I thought was very innovative and should be mentioned as a very positive step forward. Somebody had a real brainwave and I think should be congratulated on behalf of the House. We got from the communications branch of the Ministry of the Attorney General this diskette. This diskette describes, in electronic form, the legal services that are available across the province.

I would just like to point out to you what's on this diskette. There's a description in terms of address and also what they do of the provincial legal services, the agencies, boards and commissions that are there, the community legal organizations, the legal services by

region, all broken down. Also on this diskette you can find where the Chinese-language services are available, where the French-language services are available, advocacy, counselling services and so on and so on.

Frankly, I think it's an innovative way to cut down on paper. I tried it at home on my computer and it's very easy to access. It's great to use in the members' constituency offices and for anybody out there in the community who is interested to learn what the Ontario government and the bureaucracy has available. So I recommend this to you and I commend the staff who have developed this.

#### FORD MOTOR CO OF CANADA

**Mr Gary Carr (Oakville South):** Congratulations are in order to the Ford Motor Co in my riding of Oakville South for the good news story that they will be spending \$400 million over the next two years to expand their truck-painting facility. This will create 500 construction jobs and provide a much-needed boost to the local economy. The Oakville factories have increased their employees by about 800 in the last three years.

Ford had previously announced that it would be building the new Windstar minivan in Oakville, and that was excellent news, but to have received this extra investment is good news indeed. Vehicle sales are increasing and all predictions indicate that Ford is going to have a profitable year. In the next 36 months, 16 new vehicles are going to be introduced, and Ford is strongly positioned to take advantage of the gradually improving economy.

I offer my sincere congratulations to the Ford workers and management, who have been the true success story. All of us in this Legislature should be very pleased with this good news.

#### MOTORCYCLE SAFETY

**Mr Ron Hansen (Lincoln):** I rise today to inform the House of an issue that directly affects 165,000 residents of Ontario: motorcycle safety and awareness. With each passing year, more and more residents of this province are driving motorcycles and mopeds, but they face a hidden danger: other motorists.

In 1991, the last year for which statistics are available, 55 motorists and nine passengers were killed on the highways and byways of Ontario, many after colliding with cars and trucks. Add to that number 2,183 injuries to motorcycle drivers and 487 to passengers.

A good number of these deaths and injuries could have been prevented if more motorists were in the habit of looking twice before entering intersections and if more riders had taken motorcycle safety courses. This is why Bikers' Rights of Ontario, a non-profit group dedicated to responsible motorcycle legislation, wants the province to raise motorcycle safety awareness by declaring May of each year as Motorcycle Safety Awareness Month.

In recent years, myself and the member for Kitchener-Wilmot sponsored a bikers' rights rally here at Queen's Park. Many of these same riders signed petitions, which have been presented to the House, asking the province to officially declare May as Motorcycle Safety Awareness Month.

On behalf of the 165,000 riders of Ontario, I would ask that the Premier consider officially proclaiming May



as Motorcycle Safety Awareness Month throughout the province of Ontario.

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#### NEW DEMOCRATIC PARTY EMPLOYEES

**Mr Steven Offer (Mississauga North):** If you listen to recent media reports, you would swear the NDP caucus is a house divided. I stand in my place today to say that the media, respectfully, are wrong. The NDP isn't divided. In fact, they are just one big, happy family.

Yes, nepotism and the NDP seem to go hand in hand. The corridors of power are full of NDP family members. There are now five members of the Mackenzie family who are drawing their salaries directly from the taxpayers of Ontario. A sixth family member is also a full-time organizer for the NDP.

For the Mackenzie family members, Bob, David, Dan, Lori, Andrew and Rachel, every day at work is a family reunion. This is just the beginning. It would appear everyone who works for the NDP is somehow related.

There's David Agnew and his wife, Sheila Kirouac; Marilyn Roycroft and her husband, Peter Mosher; Lucille Roch and her husband, Michael Decter; Murray Weppler and his wife, Patty Park.

We even have Ross McClellan and his wife, Pat, whose daughter, Maura, works for Elaine Ziemba. Of course, her daughter, Laura Ziemba, works for Brian Charlton, whose wife, Chris, works for Ross McClellan, which I believe brings me back to where I started.

It's no wonder there are no jobs left for ordinary Ontarians. They have all been taken by the brothers and sisters, husbands and wives, and of course the children of the NDP cabinet ministers.

CARMEN LEMCKE

**Mr David Tilson (Dufferin-Peel):** I have the pleasure of acknowledging the hard work and dedication of a retired member of the Shelburne police force. Carmen Lemcke served as the chief of police for Shelburne for 37 years.

Carmen Lemcke is the longest-serving police chief in Ontario and quite possibly Canada. Carmen is known in the community as not only a fair and tough chief of police, but also as an individual who felt a strong and active community was a healthy community. Carmen actively participated in sports groups within Shelburne and has coached four minor hockey teams to Ontario championships.

Carmen is the classic community-minded civil servant who saw the benefit of putting back into the community as much as or more than you can get from it. There are few residents in Shelburne who cannot tell you a story about Chief Lemcke, whether it is through their children at the local arena or coming to their aid when they need the security and assistance of the Shelburne police force.

Many things have changed at the police station since Chief Lemcke joined the force as a constable in 1956. One thing never changed in those 37 years: Chief Lemcke felt the police force was most effective when it was part of the community, not a separate group that watched from the sidelines. You have to be involved and effective. Chief Lemcke actively pursued the new goals

of community policing during his tenure of 37 years.

I would like to take this opportunity to thank him and his family for their dedication, to a community, that has not gone unnoticed.

CAVAN ECOGARDEN

**Ms Jenny Carter (Peterborough):** I want to congratulate Richard Miller and other community members involved with the new EcoGarden project at Maple Leaf Park in Cavan township.

The dedication of this park was a fitting way for the Cavan community to celebrate Earth Day and there was an excellent turnout this past Sunday. Trees were planted to mark the boundaries of the new garden and I was happy to be present for the sod-turning ceremony, which dedicated the garden to the memory of the past and the promise of the future.

The main benefit of this garden will be educational. I believe this EcoGarden and others like it will become a major educational influence in this area, as well as a source of pleasure, of comradeship, of beauty and of nutrition.

There is a universal need for people to come together to find common solutions to common problems. I believe communities will continue to work together to ensure that we do not irrevocably damage the wonderful environment on which we all depend, both for our physical health and for the joy it gives.

My congratulations again to Mr Miller and the community of Cavan. May the EcoGarden flourish.

**Hon Bob Mackenzie (Minister of Labour):** Mr Speaker, I understand we have unanimous consent for a statement on the day of mourning.

**The Speaker (Hon David Warner):** Agreed? Agreed.

DAY OF MOURNING

**Hon Bob Mackenzie (Minister of Labour):** This 28th day of April has a very special significance for the workers in the province of Ontario. This is the annual day of mourning for all of those who have died as a result of workplace accidents or occupational illnesses. All across Ontario, workers have gathered to express their feelings. Our common purpose is to honour the dead and show solidarity with the injured workers.

Let us remember that last year Ontario recorded 292 workplace fatalities and approximately 137,000 workplace injuries. While we share the grief of the bereaved and injured, we must bear in mind that much more needs to be done by all concerned to improve occupational health and safety. There still are workplaces where only the absolute minimum is done, where corners are cut to do things the easy way.

In addition to the unacceptable human toll, workplace accidents create an enormous financial burden of about \$12 billion a year. That's the estimated cost to the Ontario economy of the six million working days lost by injured workers.

There is another dimension of today's observance from which we can take some consolation. Statistics for the last several years show a decline in the rate of workplace fatalities and injuries, even when the figures are adjusted

for reduced economic activity in the recession. In spite of the improvement, we must continue to do our utmost to bring the tragic and unnecessary workplace fatality toll to zero.

I want to remind the House about the origin of the day of mourning. When the Ontario Federation of Labour selected this date for observance in the 1980s, the intention was to mark the anniversary of the original Workers' Compensation Act, which was passed on this day in this Legislature in 1914, exactly 80 years ago.

It is fitting that in this 80th anniversary year this government is reforming and renewing the original act, bringing forth a comprehensive package of improvements for it. I am happy that the reform package contains compassionate measures for the most vulnerable injured workers. The first tangible benefits of reform will go to them.

As members will recall, about 45,000 older injured workers and family members who are living in difficult circumstances will continue to have their WCB pensions fully indexed for inflation. The same applies to pensions of survivors and the fully disabled. Moreover, many unemployed older workers who receive minimal WCB benefits will get a pension increase of \$200 a month. This increase is not subject to social assistance clawback. The first beneficiaries of the WCB reform package include many of the families of those whom we mourn today.

The positive news for injured workers actually began last year, when our government announced funding of \$2.5 million over five years for injured workers' groups to expand their services. Freed from financial worry, injured workers' groups have been able to concentrate on becoming effective advocates for their very worthy cause, and the WCB reforms attest to that.

I see other reasons for being optimistic about things being done in Ontario and across Canada to improve occupational health and safety. Specifically, I want to mention the considerable progress that is being made in 13 jurisdictions across the country on a national harmonization plan for health and safety standards everywhere. Soon to be published are the country-wide regulations to improve health and safety in many sectors where agreement is virtually complete. But again I feel more remains to be done before we convince all employers and employees to treat workplace health and safety with the utmost urgency.

In memory of our fallen workers, let us resolve that constant vigilance and prevention of workplace tragedies must be the absolute first priority in our workplaces in Ontario.

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**Mr Steven W. Mahoney (Mississauga West):** As the minister has said, today, April 28, marks the 80th anniversary of the first workers' legislation passed in all of Canada. Ironically, this was the result of a royal commission appointed in 1910 by the government of the day and headed by Justice Meredith. The principles of Justice Meredith's royal commission report apply probably more today than even they did in 1914. It is a day we remember and mourn workers killed and injured on the job.

That day, 80 years ago, was a landmark in Canada when governments began passing laws that would improve working conditions for all employees. Now workers have the right to expect safe Ontario workplaces, and when injury does occur, compensation is a worker's inherent right, as is the right for rehabilitation.

The Workers' Compensation Board was formed to ensure that injured workers on the job receive fair compensation for their workplace injuries and that proper health and safety standards are in place in all Ontario workplaces to prevent workplace accidents and deaths.

While improvements have been made since that first legislation was passed, 373,050 claims were filed in Canada in 1993. This incredible number is evidence that much more needs to be done in the area of prevention and in the improvement of health and safety standards.

I would like to take this opportunity to thank all the organizations and individuals participating in events to mark this very solemn day. As we observe today a moment of silence for workers killed or injured in the workplace and for their families, let us pledge ourselves to attaining better health and safety standards to protect Ontario workers and their families.

There isn't anyone who sits in this House today who has not been touched one way or another personally by someone in the family or a close friend or acquaintance who has been injured or perhaps even killed in the workplace. We must continue our collective efforts in the identification of hazardous substances, through educational initiatives and through relevant health and safety training, to ensure that all Ontario workplaces are free of workplace fatalities and accidents.

There are times when partisan differences in this House are quite pronounced, when confrontation is clearly inevitable. This is one occasion, however, when as legislators we must do all we can to ensure that proper safety measures are put into place to avoid the tragedies that have happened in the past for the families and for the friends who are no longer with us.

Recently I held a number of outreach sessions around the province of Ontario. The injured workers who came before our hearings provided real-life examples, with human faces rather than just files from the Workers' Compensation Board, of tragedies, frustration, anger and disappointment. These men and women want to return to work. They want to return to dignity. All they want is fairness, justice and a chance to get on with their lives. Instead, we see financial hardship, family breakdown, attempted suicides and, indeed, suicides.

These are the results of workers who are injured in an accident feeling the need and becoming consumed with having to fight the bureaucracy that clearly is out of control. We are all complicit in this area; all three parties in this Legislature need to do more. Obviously the onus falls to the government of the day, but even we in opposition need to look at ways to reduce accidents, improve health and safety and help injured workers get back to work.

Very often, we focus on issues like fraud and bureaucracy. While these are clearly important issues that must



be addressed, we must not lose sight of the fact that worker injuries continue to rise, worker frustrations increase, and not enough is being done to address their concerns.

Finally, while we may continue to disagree on methodology, I believe we all agree on the goal, prevention of accidents, and when that fails, return to work as quickly as possible with justice and dignity for all workers injured in the province of Ontario.

**Mrs Margaret Marland (Mississauga South):** On behalf of my colleagues in the Progressive Conservative caucus, I rise to join the members from the other two parties in remembering those workers who have been killed or injured on the job as a result of workplace accidents or industrial diseases.

By setting aside this day of mourning each year, we are reminded of the need to remain dedicated to the task of eliminating workplace accidents and diseases. Government, industry and labour must work together to create a safe working environment. Such cooperation will ensure that real progress is made to reduce the risk of death or injury to workers.

We mourn the 290 people who lost their lives due to job-related accidents last year and remember the many more who were injured.

Each one of us should reflect on the work that has been done by our predecessors in the establishment of the workers' compensation system, the passage of the Occupational Health and Safety Act and the other measures which this Legislature has taken over the years in an attempt to minimize the risk of death or injury to workers. While much has been accomplished, much more must be done in the future.

Today workers face a variety of job-related injuries that our forefathers would never have imagined. It is our task to provide as safe a workplace as possible. The workers' compensation system is in fundamental need of reform and our occupational health and safety laws must be constantly updated to reflect the changing nature of the workplace.

As we observe a moment's silence for the working men and women who have been killed or injured in the workplace and take the time to remember their families, let us rededicate ourselves to ensuring that such needless and tragic accidents do not occur in the future.

**The Speaker (Hon David Warner):** I invite all members and our visitors in the galleries to stand and observe a moment of silence for those who have died in the workplaces of this province.

*The House observed a moment's silence.*

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### METROPOLITAN TORONTO SCHOOL BOARDS

**Hon David S. Cooke (Minister of Education and Training):** I am pleased to inform members today that the eight public school boards in Metropolitan Toronto, the Metropolitan Separate School Board and the Ministry of Education and Training have agreed to establish a task force to find ways to save money through cooperative services.

This announcement reflects the Ontario government's ongoing commitment to encouraging school boards to restructure their operations for greater efficiency and to assisting boards with that process.

Increased cooperation among school boards is a key in maintaining quality education in the current economic environment. School boards, like other public institutions, have a responsibility to work together to deliver education in the most cost-effective way so that more resources are available for the classroom.

Cooperation will eliminate unnecessary duplication and allow boards to acquire services and resources at less cost than they would pay individually. Today, many school boards across Ontario are cooperating to share transportation services, payroll, purchasing and technology.

I commend the Metro Toronto school boards for establishing a task force to examine these and other models for the cooperative delivery of education services and to recommend how the cooperative approach can best be applied in Metropolitan Toronto.

The task force will consist of 14 members. Dr Ned McKeown, who has recently announced his retirement as director of education for the Metropolitan Toronto School Board, will serve as chair of the task force. Ms Margaret Caravaggio, superintendent of system review for the Metropolitan Separate School Board, will serve as co-chair. They are both in the gallery with us today.

The other 12 members will be four representatives appointed by the Metropolitan Separate School Board and one representative appointed by each of the eight public school boards.

1400

The task force will be supported by a number of subcommittees that will include representatives of teaching and non-teaching staff.

It will report to a steering committee of the Minister of Education and Training, the chair of Metropolitan Toronto School Board and the chair of the Metropolitan Separate School Board. It will deliver an interim report by April 30, 1995, and a final report by June 30, 1995.

The establishment of this task force shows the commitment of the Metro public school boards and the Metropolitan Separate School Board to work together to meet the challenge of providing education in Canada's largest urban centre. Almost one in every four students in Ontario attends a school operated by one of the Metro Toronto school boards.

I would like to congratulate Ann Vanstone, the chair of the Metropolitan Toronto School Board, and Elvira Demonte, the chair of the Metropolitan Separate School Board, who are both here with us in the gallery as well today, and I'd ask them to be recognized.

Their approach has been a constructive one to the task force and their commitment to building the cooperative model.

Initiatives such as this task force will lead to better education services at less cost to the taxpayers. It is this kind of initiative that will allow us to continue our province's substantial investment in education, an investment that points the way to economic renewal, to better

jobs, and to personal and social wellbeing for the people of this province.

**The Speaker (Hon David Warner):** Responses?

**Mr Charles Beer (York-Mackenzie):** I want to rise and welcome the establishment of the task force by the Metropolitan Toronto school boards. I think this is a positive step forward, particularly because this initiative has come, really, out of a lot of work which the Metro boards, all of them, have been doing over the past while, and I think one would want to note Metro's unique educational needs study that the boards did over the last couple of years and that was presented last spring, setting out the particular issues and problems that the Metro boards face.

The other thing that I think is important to underline about the creation of this task force is that it is coming from the boards themselves, and I think we have all been talking a lot about the need to restructure. We've been talking about how we can get services provided in common so that we can avoid duplication, save money and obviously save cost to the taxpayers. But we have all, at different times and with different governments, had difficulty in really making something happen.

I think the fact that this task force is co-chaired through both Metro public and Metro separate, that the membership will reflect the boards within Metro, means when they reach agreement that in fact those are things we will be able to see as very possibly being implemented, and I think we need some success stories to demonstrate that this kind of cooperation can go on.

I should just note for the members of the House that while the Minister of Education was making the announcement about the task force, those who are on election watch would also want to note that in reply to one question, the Minister of Education made it very clear that the school board elections would come before the next provincial election. I know that he'd want me to share that with members of the House as well as with those watching this program.

The other point that I would like to make as well is to offer our cooperation both to Dr McKeown and to Ms Caravaggio. I know that it's going to be a very stimulating time. The time frame is, I think, a doable one. It is tight in some respects, but I think it's a place where we want to see and need to see action, and that's probably a good way to do it.

The comment that Dr McKeown is retiring is one that I don't believe. I think it has been said on a number of occasions that he will be involved in public education all his life, and I think in the case of the two co-chairs, we wish them the very best in their work.

The minister would understand, having said that I believe the creation of the task force is a good step forward, none the less I would use some of my time to offer him some suggestions on some related matters.

I think the point to make is this: This is a positive step forward today. There have been others in terms of cooperation and attempts to save on costs. But in the newspaper this morning was reference to meetings the Treasurer had with a number of people about the Fair

Tax Commission and where the reform of education funding is going. We do seem to be stuck, if not in neutral, we certainly aren't moving very quickly.

We know that we had the Fair Tax Commission at a cost of some \$9 million. They presented a report. Everyone would admit, from looking at it, it is complex. But I would say to the minister that this issue of funding reform is critical. We have the Royal Commission on Learning, which will be reporting at the end of this year. We will have, over the course of the next 12 months, an election, and I know that everyone is looking forward to that royal commission report.

But the other element that is needed and is necessary is, what will be the funding system that will go with that royal commission? I would suggest to the minister that we need to, if you like, break open this discussion. We were expecting this fall a white paper from the Ministry of Education on options in education funding reform.

I know there are discussions on this and people are concerned about whether to bring it forward, but I would urge the minister to bring it forward, a series of options, and suggest that the government consider having the standing committee on social development this summer, in August and September, take those options out and around the province and talk with those most involved in terms of what kind of package can be put together for real education funding reform.

Because whether we are talking about Catholic and public boards, assessment-rich or assessment-poor, or looking at the particular needs of communities such as Metropolitan Toronto, Ottawa and other large areas, there are real problems which we as legislators, I think, should be involved in and could help in bringing about a resolution, and I put that to the minister.

**Mrs Dianne Cunningham (London North):** I would like to stand and say that it's good to see that the Minister of Education and Training is on our agenda again. He's long overdue. This has been in print for two years and he should have acted earlier.

It says here that we should be looking at duplication between all school boards in an effort to save costs. I'd like to be somewhat specific. Some of my colleagues who have helped us with our work in looking for good, I think, information and recommendations for the minister are in the gallery here.

I'd obviously like to recognize Ann Vanstone and Elvira Demonte and say that I'm glad they're there. I'm sure they'll be wonderful watchdogs and we need more of them. The minister is very lucky to have their point of view. I would say to Mr McKeown that he should have done this when he was a director, but he's a colleague I've worked with for years as well.

We're long overdue, and this has been done in other parts of the province. For the minister, in the Kent county example—their director of education, Bill Green, and I will be speaking on this tomorrow in eastern Ontario—the Kent county public and Kent county Roman Catholic separate boards are leaders in this area. They've implemented a series of joint ventures to save the local taxpayers money, and I'm going to give the minister a list



and perhaps you could take my notes later and take a look at this list.

**Mr Randy R. Hope (Chatham-Kent):** They've already got the list.

**Mrs Cunningham:** I think if they've got it, they should have taken your advice sooner. You should be very concerned about this. My colleague the member from Chatham is advising me that Kent county gave you the list a long time ago.

One road, one bus, Mr Minister. Think about it: one transportation officer, one health and safety officer, one assessment officer, one race relations officer, combined audio-visual services, combined curriculum development, joint purchase of natural gas, joint purchasing and joint recycling, joint banking program with the public-separate boards, the city of Chatham, the county of Kent and the surrounding municipality and the two hospitals. This is giving you lots to work on.

I have to say that the minister is surely aware of the Metropolitan Toronto studies for the public boards that took place some time in January, at least the reports came out, to tell the Metro boards that if they did work together with regard to their computer services, their warehousing and their purchasing, the Metropolitan public school boards would save \$55 million.

I guess what I am saying here is this should have happened a long time ago. I guess maybe it does take leadership from the province of Ontario.

**Hon David S. Cooke (Minister of Education and Training):** Maybe 20 years ago.

**Mrs Cunningham:** Maybe 20 years ago. You're absolutely right. What took you so long? I didn't get to do it.

**Hon Mr Cooke:** You were there.

**Mrs Cunningham:** I wasn't here. What took you so long?

1410

This restructuring all over the province of Ontario is necessary. If we know right now that school boards, through sharing—we've had examples in probably dozens of boards. It's not new.

I will say in closing that we do recognize the individual challenges of the Toronto school board, there's no doubt, of all the metro school boards around the province. I have to tell you that other boards say "the city of Toronto" with respect, because it has so much work to do.

I would advise them to take a look at what you're doing with education dollars in the area of health, in the area of community and social services and all those other areas that are attributed to education which should be attributed elsewhere. I wish you the best of luck. It should have been done sooner.

**Mr Chris Stockwell (Etobicoke West):** I really am pleased to see this committee struck. Certainly the seriousness of it is registered in my mind by the appointment of a co-chair like Ann Vanstone. There's no doubt this kind of appointment is the kind of appointment we should be looking for as taxpayers in Metropolitan Toronto.

I will say that to the constituents whom I speak to, one of the gravest concerns they speak about is the cost of education in Metropolitan Toronto. My predecessor and our critic spoke about it. The mandate was to educate, and so far, in a lot of instances, in a lot of municipalities within Metropolitan Toronto, they've left that mandate and have gone into streams and areas that probably are no concern of theirs, that cost taxpayers in Metro significant amounts of money. If there's one aspect they should examine, it is the mandate of educating the children of Metropolitan Toronto and ensuring that they do it at a reasonable cost for the taxpayers.

I heartily endorse this. I am proud to see this is happening. People like Ann Vanstone I know will bring forward a report, if acted upon, that will only serve the taxpayers whom I'm proud to represent in Etobicoke.

#### ROLE OF MINISTERS WITHOUT PORTFOLIO

**Mr Murray J. Elston (Bruce):** Mr Speaker, on a point of order: I stand to bring to your attention a ruling you made on April 22, 1993. At that time you ruled, because of the newness of the office of junior minister, that people in the opposition benches could ask questions of junior ministers when something fell into their area of expertise.

There is such a junior minister who is associated with Mr Laughren, but we have come to discover that when Mr Laughren is away, Mr Ward, his junior minister, is also coincidentally always away. The two are always away in tandem.

We want to get some understanding of how it is that when a junior minister has responsibilities here which he should answer for in the absence of his senior minister, he is always away.

It appears to us, sir, and this is my point of order, that because the government did not want its junior ministers to answer any questions, it has decided to avoid your ruling that the junior minister answer the questions by forcing the absence of that junior minister. As a result, the real question is, why are we paying these people all the money to be junior ministers if they are never to be examined in this Legislative Assembly? That is one question I'd like you to take under advisement.

Just following up on this, this is the other problem which I think is going to cause us some great concern and as a result probably reflects upon standing order 16, which as you probably know is grave disorder. We have an hour every day in question period to ask questions. I know you can't force anybody to be here, but I would like you to hear some of the statistics about how many absences have occurred for question period in this Legislative Assembly so that you'll understand that people are trying to prevent us from exercising our right to ask questions.

**The Speaker (Hon David Warner):** To the member for Bruce, I understand the member's concern and I understand that he has some statistics which I'm sure are of interest to people. The member will know, as he has himself stated, that the Speaker does not have the power to compel the attendance in the House of any member.

That in fact is the answer to his first question. I

understand his concern with respect to the ruling I had made earlier that members are able to ask questions of junior ministers, but of course, whether they are junior or senior ministers, if they are not present, you cannot ask a question of them.

I regret that I am not able to be of any assistance to the member. As I have stated in the past, if members wish to change the standing orders with respect to attendance, then of course there is a process for doing that.

#### ORAL QUESTIONS

##### ASSISTED HOUSING

**Mrs Lyn McLeod (Leader of the Opposition):** My first question will be for the Minister of Housing. Minister, over the past week my colleague the member for Renfrew North has been raising a number of issues that are related to the serious mismanagement of funds for non-profit housing projects. These specific examples that have been raised by the member for Renfrew North would seem to be related to the overall concerns the Provincial Auditor has previously identified with the funding of non-profit housing programs. Minister, that's why we continue to raise these concerns.

Two days ago you said that you would release audits that were done on non-profit housing agencies. My staff called to ask for those audits. They were told that they would have to use a freedom of information request in order to obtain the audits that you had said you would release publicly. Today I read that you are planning to release the audits in a few days, but a few days have already passed.

Minister, I ask you to tell us today exactly what audits you are prepared to release publicly, and will you table those audits in the House today?

**Hon Evelyn Gigantes (Minister of Housing):** When I said that the audits will be released, the audits will be released. We have decided at the Ministry of Housing to treat the question raised by the Liberal caucus of the request for the audits as a formal request, and what we have provided, as I understand it, is the form so that the official request can be made for which audit you would like. If you want each audit, that's fine.

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Hon Ms Gigantes:** I would like to explain the reason for doing this.

The Leader of the Opposition will be aware that the government has obligations under the Freedom of Information and Protection of Privacy Act. Each of those audits is being reviewed by the information coordinator but also our legal staff to make sure there are no releases of private information which should not be released. The process is quite straightforward. We will not take time to do this. As soon as the clearance is done—

**The Speaker:** Could the minister conclude her response, please.

**Hon Ms Gigantes:** —legally, we will make the audit reports available directly to members of the Liberal caucus, treating their request as a formal request though it was not made that way.

**Mrs McLeod:** I obviously misunderstood the minister's words when she said she was going to release the audits publicly. I understood that to mean they would be released by the minister in the name of public and open accountability, that we would not have to request those through a freedom of information request. So the question still stands: What audits? When will they be tabled and released publicly?

The concerns about the misuse of these funds, the funds for non-profit housing, are continuing to mount. In the past week alone we have learned of at least \$29 million in projects that have been written off, projects that you have abandoned. Three of those four projects were Supportive Housing Coalition projects.

Minister, you will recall that my colleague the member for Renfrew North has asked you twice now whether the Supportive Housing Coalition continued to receive new allocations after an internal audit identified that there were problems with the coalition and warned you not to give them any more allocations until the problems were cleared up. I will ask you that question again: Did the Supportive Housing Coalition receive new allocations after the March 1992 audit?

**Hon Ms Gigantes:** To the first point raised by the Leader of the Opposition, she will know perfectly well that it would not be legal to release information of this nature without assuring ourselves within the Ministry of Housing that we were meeting the legal obligations under the freedom of information and protection of personal privacy legislation of this province.

**Mr Gregory S. Sorbara (York Centre):** You just said you had a new policy the other day. You just said completely the opposite. How often does the policy change?

**The Speaker:** The member for York Centre, please come to order.

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**Hon Ms Gigantes:** Mr Speaker, I could remind her that I personally am very sensitive on this matter, having, as you know, had to resign once for having made a mistake in this matter. But let me assure her that the release of the information will be extremely prompt.

On the second question, the Supportive Housing Coalition continues to have allocations which were allocated under the previous government, the Liberal administration, back in the late 1980s. It has no new allocations. They are not part of the same program as they were back in the late 1980s, but they are continuations of allocations which were made. There were no new allocations made to the Supportive Housing Coalition during the period during which the audit review was undertaken, nor have any been undertaken to this point in time.

**Mrs McLeod:** Minister, the fact is that you did continue to fund the Supportive Housing Coalition at what might be seen to be extremely high levels. Our understanding is that in 1992-93, the Supportive Housing Coalition received \$7.9 million and that this was \$1.5 million more than they had received the year before. I remind you, that was in 1992-1993. That was after the



audit was done. It was after you knew there were indeed serious problems with the coalition.

The Supportive Housing Coalition receives one of the largest of the allocations to non-profit programs, and that is the same coalition for which you have written off projects totalling more than \$16 million.

Minister, I ask, why did you continue to fund the Supportive Housing Coalition at these very high levels when you knew there were serious problems and when your own auditors told you not to?

**Hon Ms Gigantes:** The leader of the opposition is misreading the audit. What was indicated by the audit was that matters between the Ministry of Housing and the Supportive Housing Coalition needed to be straightened out in a very serious way. That has been done, and the Ministry of Housing felt assured that the capability of that organization to carry forward its contractual obligations had been established. Repayments were in full by mid-1992. But aside from that, there have been no new allocations, though indeed, if she reads the report carefully, she'll see that it was not recommended that we drop any contact with the Supportive Housing Coalition.

She will know, as members in this Legislature know, that the Supportive Housing Coalition has provided non-profit community-based housing programs for people who most desperately need them in the Metropolitan Toronto area over the last many years. This group has provided excellent service—

**The Speaker:** Could the minister conclude her response, please.

**Hon Ms Gigantes:** —not just to the individuals to whom it provides direct service, but to the community in this area on the whole.

**The Speaker:** New question.

**Mrs McLeod:** The minister tries to avoid the questions about mismanagement of the funds by seeming to suggest we're opposed to the program. The program of course is important. That's exactly why we believe there should be value for every dollar that goes into that program.

**The Speaker:** Could the leader place her second question, please.

#### FRENCH-LANGUAGE COLLEGE

**Mrs Lyn McLeod (Leader of the Opposition):** My second question is to the Premier. I have here an article from Northern Life which refers to the site selection process for the francophone college in the Sudbury region.

According to this article, the Minister of Finance made a direct representation to the board of the francophone college that was hearing the proposals for that site selection. The Finance minister apparently intervened on behalf of the proposal which would bring the college site to his own riding.

Premier, I ask whether or not you're aware of this, and, if so, whether you have discussed this with the Minister of Finance.

**Hon Bob Rae (Premier):** I'll have to take that question as notice. I haven't seen any reference to it before, and I'll obviously ask the Minister of Finance and

the Minister of Education and Training to answer that question.

**Mrs McLeod:** Premier, I will certainly make you aware of the article which I have so that you can pursue it. I raise the question today in part, and in large part, because I am extremely concerned about the way in which the selection of the site for the college has been prejudiced by the intervention of the minister. It becomes an urgent matter because the decision about the site selection is to be made very shortly.

You will understand that the other developers who made proposals are extremely upset about the intervention. Some spent as much as \$250,000 in development costs, only to find that the Finance minister himself was part of a competing proposal.

According to the article, the other developers had absolutely no idea that the Finance minister was going to make a presentation in support of the site in his own riding and the other developers clearly now believe that the entire process is a political one and has been a sham. It is also quite clear that the college board, which now has to make its decision, has been placed in a very awkward position.

Premier, I would ask how you can now ensure that the decision on the site for this francophone college will not be influenced by the Finance minister's intervention.

**Hon Mr Rae:** I wonder if the honourable member would perhaps allow me to reflect on her questions, and as well give the Minister of Finance a chance to respond, since you'll appreciate that when I give off-the-cuff answers they're usually not very helpful.

**Mrs McLeod:** I do appreciate that and I will give the Premier that opportunity. As I indicated, I believe it is a matter important for us to raise and also important for us to raise at this time because of the pending decision about the site selection and the obvious importance in making sure that the Finance minister's intervention has not jeopardized that.

I would also like to draw to the Premier's attention, as he considers this issue, another cause for concern for us in that, again, according to the article, the constituency assistant to the Minister of Finance indicated, in defence of the Finance minister's appearance, that he spoke only as an MPP and not as a minister of the government.

I would remind the Premier that this is a road we have been down before, that we have a letter on record from the conflict commissioner that was written in June 1991 in which he says very clearly that a minister is not an ordinary member of the Legislature, that a minister always wears a cloak of ministerial responsibility; a minister is a minister is a minister.

Premier, in this instance, the province is contributing \$43 million to the francophone college and it is clearly inappropriate for the Minister of Finance to be directly involved in the site selection process. The argument that he is acting on behalf of his constituents as a representative of the constituency is simply not to be considered a defence.

Premier, I would ask, as you consider this matter, since we have been down this road before, when will you make

it absolutely clear to your ministers, including the most senior, what is and is not appropriate behaviour for a minister of the crown?

**Hon Mr Rae:** Again, I would like to have a chance to hear exactly what happened and then perhaps I can respond next week.

#### ASSISTED HOUSING

**Mrs Margaret Marland (Mississauga South):** My question is to the Minister of Housing on the loans she recently wrote off for several housing projects. It is my understanding that one of the properties in the list of \$29 million in write-offs was at 50 Bronoco Avenue in the city of York. The property was apparently purchased for \$6 million in 1988-89 under the Liberal government. Minister, can you tell me specifically what led to the costs of this project being so high that your government would cancel it and write off the \$13-million loan?

**Hon Evelyn Gigantes (Minister of Housing):** The site itself is an old industrial site. I don't know if she is familiar with it. It was a site which was proposed for a joint project involving two community-based groups, and it was a site which had not only problems environmentally outside the site but which had an existing building and still has an existing building on it which had the potential to have environmental problems in and of itself.

The fact that it had not been developed, that the location was one which caused it to be brought before the OMB, that the delay was prolonged because of the questions around the environment, both external and internal, led to the continuous mounting of interest costs to the point when, last December, I decided it should be cancelled as a project site.

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**Mrs Marland:** It is my understanding that one of the reasons the costs became so high at the Bronoco Avenue site is because no soil tests were done on the property prior to your government guaranteeing the loan. Subsequently, the site proved to be contaminated and cleanup was required. It is standard commercial banking practice that a soil test should be a prerequisite of guaranteeing a property loan. Minister, is it true that the province guaranteed a loan for this property without ensuring that the land was free of contamination, and if so, were you or the Liberals responsible?

**Hon Ms Gigantes:** To speak first to the problem of environmental examination of land that is proposed for a non-profit housing development, this has been a great problem in the past. Certainly, during the period of the late 1980s, when it was very difficult for private developers and for non-profit developers to locate sites for housing developments and costs were high, there was a lot of pressure, both for private developers and non-profit developers, to look at sites that were old industrial sites and where there were environmental questions still unanswered before the sites were acquired.

We have changed that process. In the Jobs Ontario Homes program, groups are not given guarantees for purchase of land until there has been environmental testing of the site, and we will not allow groups to take on responsibility for a site until that process assures us

that there are not going to be major environmental costs associated with development.

In fact, the member for Mississauga South started out her question by saying, "Your government guaranteed the purchase of this site." That was inaccurate. She knows that. It was a purchase which was originally guaranteed by the previous Liberal government. We continued to extend that guarantee in the hopes that it was going to be a site which could be developed. It is certainly the policy of this government to examine very carefully where development of old industrial land and infill projects can better the development of cities in this province.

**Mrs Marland:** Minister, this Bronoco project is starting to sound a little too much like Ataratiri. It is my understanding that the purchase of the Bronoco Avenue site was negotiated by Green and Nogue Associates Ltd. Minister, this development consultant is associated with at least seven completed housing projects funded by your ministry. Is it true that Green and Nogue was the development consultant for all of the four housing projects you recently wrote off loans for, and if so, why are you continuing to fund projects with which it is involved?

**Hon Ms Gigantes:** The decision to write off four projects in December was not in any way associated with who may have been involved, either as a sponsoring group or as a development consultant. The decisions I made in December were decisions that were based on the business case of each site.

We looked at the environmental questions still associated, the continuing planning questions still associated with these sites, and the total environment; in other words, the access to community benefits for people who would be future tenants if these sites were developed. The decisions that were made were made solely on that basis. In fact, I do not know who the development consultants were, nor was it a question in my mind when I made a decision.

There are many development consultants who are professionals in their field. They have an association of professional development consultants to try and maintain high standards for the profession. Because one firm, and it is a private firm, gets many pieces of business, that does not mean there is anything wrong with that at all, and she shouldn't suggest so.

#### TENDERING PROCESS

**Mr Jim Wilson (Simcoe West):** My question is to the Chair of Management Board. Minister, on January 7, 1994, Management Board issued a tender for an integrated voice response system to be used in several ministries but primarily to be used in the Ministry of Health. The closing date for the tender was January 24, 1994, and only two firms bid on the tender. They were Bryker Data Systems and Bell Canada.

Minister, so you'll know, the voice response system would allow a doctor to pick up the phone and check to see if a health card is valid. Currently, there is no system in place that can handle the volume of calls that come from doctors and hospitals needing this sort of health card verification system.

The tender was cancelled on April 15, 1994. Could



you explain to this House why the tender was cancelled and how much money was spent on the tender process?

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet):** I can't answer the second part of the member's question in terms of the actual costs that were spent on the tender process to date, but I can certainly get the member that information.

The tender essentially was cancelled for two reasons: first, because there was a potential conflict of interest with regard to an employee involved in the process, and second, because of a changed set of requirements; specifically in this case, the Ministry of Health, having had the opportunity to review the bids that were submitted by the two companies in question, it became clear that the tender needed to be expanded in order to accomplish the purpose for which it was intended.

**Mr Jim Wilson:** The minister is correct that the tender was pulled on April 15, because the director in the Management Board who was handling this file, this tendering process, a Mr Terry Ham, actually moved from Management Board and accepted an employment position with one of the two bidding firms. Your assistant deputy minister, David Girvin, has confirmed that the tender was pulled and that the primary reason was the conflict of interest resulting from Terry Ham's leaving, as you've confirmed also.

Since there's cost involved in a tender process, and since security of information is extremely important in a tender process, not to mention the test of fairness in a tender process, what guidelines does your government have in place to prevent civil servants from accepting employment with companies bidding on government contracts?

**Hon Mr Charlton:** The member has raised the issue which I responded to in my first answer, and I'm not sure what the member wishes to pursue. The government has a system in place that deals with conflict of interest. We identified a problem. We dealt with the problem. He seems to be chasing something that's already been dealt with.

Although we had identified a problem with the conflict of interest question and were prepared to deal with it, the tender was not cancelled until such time as it became clear that there was good and sound reason, based on the intent of the tender in the first place, to cancel the tender and re-tender based on the needs of the client that we were attempting to serve, namely, the Ministry of Health.

**Mr Jim Wilson:** It's very interesting. The minister talks about the guidelines he has in place. I have a copy of those guidelines, and let me take just a moment to explain what those guidelines say. It's a regulation under the civil service act. Minister, you only have guidelines in place to prevent this potential conflict of interest in cases where the public servant is still on the public servant payroll and may take an outside job. He or she must declare that conflict to the deputy minister or the assistant deputy minister or other officials within the ministry. Then there's a set of rules on how they deal with that conflict when it comes to their attention.

We're talking of a case of Terry Ham leaving the

employment of the government of Ontario and taking a position with one of the companies that had tendered on this contract. When I was a federal assistant to a cabinet minister, I and cabinet ministers were required to refrain, upon leaving our government jobs, from doing any business with companies for one full year after our leaving the employment of the federal government.

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The House will also be interested to know that Terry Ham oversaw two other tenders that the company he now works for won from the government. Minister, what steps are you taking to review the tenders Terry Ham was involved in prior to his leaving Management Board, and what are you doing to ensure that this sort of conflict doesn't happen again?

**Hon Mr Charlton:** There are two things inherent in the member's question: first, a belief that somehow conflict of interest can be prevented, and therefore we wouldn't need conflict-of-interest rules. Conflicts of interest are going to arise from time to time; that's why we have policy to deal with conflict of interest. The member should note, in his pursuit of this matter, that he's pursuing a matter the government dealt with, and dealt with effectively, three months ago.

GAMBLING

**Mr James J. Bradley (St Catharines):** I have a question for the Premier. Would the Premier tell us what his itinerary is today?

**Hon Bob Rae (Premier):** I have a series of meetings in my office after question period. I have a couple of press interviews, one with a Spanish newspaper. I am meeting with a variety of people. I think I was able to advise my wife this morning that I'll be home for supper. Then I would suspect that at about 7:30 or thereabouts I would be seated in front of the television set, where I will be rooting—and I know the honourable member will as well, though his loyalties are divided, I understand, since he got home late last night from Memorial Stadium in Buffalo—unashamedly and unabashedly for the Toronto Maple Leafs.

**Mr Bradley:** Now that I have established that the Premier has to answer this question, I have a supplementary for him. I hate to impose upon the Premier and his itinerary, but I do have a supplementary question. Premier, your government and indeed many governments across the country and across North America are moving quickly and massively into the field of gambling, into various gambling enterprises, everything from widespread offtrack betting to casino gambling. In other provinces they've moved to what are called video lottery terminals.

This is a matter about which I am profoundly personally worried and have expressed that on many occasions in this House. Premier, are you not deeply concerned about the terrible impact this gambling mania is having on vulnerable people in our society throughout North America, not just here in Ontario, on the poor and on the desperate and on those who are addicted to gambling? If so, what are you going to do about that?

**Hon Mr Rae:** First of all, I want to congratulate the honourable member for his logistical ingenuity. I've had

many reasons to admire him over the years, and he's added one more category.

I'd make a couple of points to the honourable member. The first one is that I don't see any gambling mania in this province. I think if you look back over the history of Ontario, you'll realize that horse racing has been a sport on which people have spent money, invested money and gambled, a sport of chance, if you like, on which people have bet in this province for generations. There was a time when there were very strong views expressed from all sorts of quarters about whether this should be allowed or permitted. I can say to the honourable member that that's been a part of our life.

Bingos and charitable lotteries and charitable gaming of different kinds have been part of the life of the community. They've been part of many churches. They've been part of much of what's gone on in the province for a long time. It was not invented a few years ago.

Finally, I would say that the expansion of the lottery business in the province and across the country has again been a fact. We're now looking at an addition to that, and that is the provision of the casino in Windsor, which is the one new innovation.

**The Speaker (Hon David Warner):** Would the Premier conclude his response, please.

**Hon Mr Rae:** One point I would say very directly to the honourable member is the issue of addiction and the question of psychological dependence on gaming and gambling. I can say to the honourable member that we've discussed this around the cabinet table on a number of occasions, and we have made a very firm policy decision—

**The Speaker:** Would the Premier please conclude his response.

**Hon Mr Rae:** —that a real effort will be made to ensure that there are sufficient funds available to deal with those people and to help those people who have a serious problem with addiction. But there are a lot of people who enjoy gaming from time to time and who enjoy betting from time to time—

**The Speaker:** Premier. New question.

#### FAMILY SUPPORT PAYMENTS

**Mr Michael D. Harris (Nipissing):** My question is to the Attorney General regarding family support payments in Ontario. According to your ministry's own numbers, Attorney General, there were 125,359 cases of family support in this province. As of February 1994, of these, less than 25%, one quarter, are in full compliance. Over 75% of all individuals who pay support in Ontario are in arrears. In fact, in one half of the cases, there is no money flowing at all. Minister, given that you have a \$24-million bureaucracy designed to ensure that families receive support payments, can you explain why so many are not?

**Hon Marion Boyd (Attorney General):** Well, yes. It's quite clear to all of us that part of the problem is that those—what?—125,399 cases accumulated over a great many years prior to March 1992, when there were very weak mechanisms, certainly under the previous Conservative government, much improved under the previous

Liberal government, and then finally improved by at-source deductions through our current family support plan, that enabled the accumulation over a period of more than 20 years of arrears of support payments.

The member is right that indeed there are still large amounts of money that are outstanding, that are owed to individual women and children, in most cases, occasionally to some men who have custody of their children. But that whole situation is one we are beginning to turn around.

We now have full compliance in 49% of the cases where there is automatic wage deduction and some payments in at least 65% of the cases that have been registered since March 1992, which is a vast improvement over the situation that was there previously. We are making strong efforts all the time to ensure that the outstanding amounts are collected, whether they are owed to the government because of the assignment of social assistance benefits or whether they are owed to individuals.

I think it's important for the member to acknowledge that since March 1992, our amounts have more than doubled per month, from about \$14 million per month, which was the average early on in our term, to over \$28 million a month now. That is a vast improvement. We are not resting on our laurels; we are improving the system every day.

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**Mr Harris:** The fact of the matter is that your stats that you quote on the system look better because all the payors who pay anyway without the legislation are the ones who are making your stats look good. But every member of this Legislature will tell you, from their constituency office, that there are more backlogs, that there are more problems with this program. I think all members of the Legislature would agree that ensuring that children receive adequate support should be a priority for all of us. We need to look at ways to ensure that more support orders are complied with.

Three years ago when we were dealing with the legislation, our critic introduced an amendment to allow individuals who are not in arrears to opt out of the system, or not clutter it up in the first place. I understand that if that took place, it wouldn't make your stats look as good. Would you agree with me that if you would bring forward this amendment now and instead of worrying about your stats, worry about the children who are not getting the support payments, and for the ones that take place anyway, remove them from the system, we could have more of the resources to work on the 50% who aren't paying at all and the 25% of that other 50% who aren't in full compliance? Will you agree now to bring forward that commonsense amendment?

**Hon Mrs Boyd:** No, I certainly won't, and I don't know on what grounds the member makes his suggestion that the people who comply are people who would have complied anyway. That's just absolute nonsense. We have a vast improvement in our compliance rate. Quite frankly, we hear from the payors and many of those payors are quite, quite willing to admit that if there were not a deduction at source, they would not be paying.



We need to be very clear that the kind of simplistic suggestion the member makes is not very helpful. It is true that it is very hard when the number of cases grows at about 1,200 cases per month. We are committed to trying to maintain a lean system—

*Interjection.*

**The Speaker:** Order, the member for Willowdale.

**Hon Mrs Boyd:** —to try and improve the efficiency of that system all the time, and we are doing it. We have just introduced the payment, both from employers—

*Interjection.*

**The Speaker:** The member for Willowdale, please come to order.

**Hon Mrs Boyd:** —to the plan and from the plan, to payees of automatic deposits. That in and of itself is a huge improvement in efficiency and will certainly help us to streamline the system.

#### HIGHWAY TRAFFIC RESTRICTIONS

**Mr Tony Martin (Sault Ste Marie):** I raise an issue today with the Minister of Transportation that's been at my desk for, oh, some three or four years now. It seems to come up at this time of year. The well drillers of Ontario have a concern that they're not able to travel and do the work they do so well because of some of the restrictions by the Highway Traffic Act. So today I'm asking you on their behalf, will you allow water drilling rigs to be exempted from the reduced-load period as an essential service under the Highway Traffic Act?

**Hon Gilles Pouliot (Minister of Transportation):** The question is timely by virtue of highways being most vulnerable during springtime, during thaw-out season. As a policy, we have a load restriction. That's been a perennial, a residual. It's been with us each and every year for some time. By way of an exemption or by way of special consideration, if your rig does not surpass 10,000 pounds or thereabouts, 5,000 kilograms—we have received no permit and yet the association is much aware of it. We're awaiting special-case, and special-case only, applications only for highways, for jurisdictional capacity within the boundaries of municipalities rests with the township council.

**Mr Martin:** That's fine, but the well drillers are telling me they have a problem here and that the work they do so well and that's so required, so essential at this time of year, they're not able to do in the way they would like. The exemption that you make, the opportunity that you give them, as far as they're concerned is not being helpful.

Even to go beyond that, yes, there's this possibility of asking for exemption under the Ontario Highway Traffic Act, but they're not covered under some of the municipal acts, so there's a whole bureaucratic maze that they have to go through. They're tired of having to continually bring this forward. They want an answer. They want to know what you're doing now on their behalf.

When can they expect that you will recognize that they have a very legitimate concern here, as do the people they serve? To the minister, what am I to tell them when they call me on Monday about this issue again?

**Hon Mr Pouliot:** With respect to my distinguished and beloved colleague, here is what you are about to tell them: that you have lobbied as hard as you possibly could, that you have personally brought this very important matter to the ear of the minister, that the minister has listened intently, that his hands are tied by common sense and therefore by legislation.

Here is what you do for a solution: In lieu of one heavy load, you make two or more smaller loads and then you begin to understand that it's all possible, or you wait for one week, two weeks, three weeks at most; then the spring season is something of yesterday, and you can look to the summer and the fall and the winter for confidence. We want to wish them well. There shall be no exemption. I am not permitted to do so.

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr Steven W. Mahoney (Mississauga West):** I have a question to the Minister of Labour. On this day when we mourn injured workers, I want to share some information with you and ask you a question.

I have a book here, entitled Facts and Figures 1992-93, put out by the Ministry of Labour. In that book, it shows that from 1989-90 until 1992-93, critical work injuries have gone from 466 to 602, an increase of 29%. Occupational diseases have gone from 56 to 103 in that same time period, an increase of 84%. Yet the number of inspectors from 1988-89 to 1992-93 has gone from 313 to 279. Inspections are down almost 40,000 in that same time period or 40%; the number of orders issued is down 50,000 or 32%; the number of stop-work orders down by almost 3,000 or 42%.

The fact is that these cutbacks would show your ministry is putting less and less emphasis on trying to help injured workers. How do you reconcile these statistics in your ministry's book with the statements you make about helping injured workers?

**Hon Bob Mackenzie (Minister of Labour):** I thought the member across the way, with his knowledge of the health and safety field, would understand that with Bill 208 and the effort to put in place joint committees—one management, one labour, in most cases—that has meant we've had more responsibility in the workplace and more effective enforcement of the legislation. We have also been very specific in taking high-profile cases to point out that there is a penalty you'll pay if you do not achieve a healthier and safer workplace, and there has been some success in that area.

**Mr Mahoney:** I wish I could accept that answer as being legitimate. The facts would seem to indicate totally the opposite is the case. The facts would seem to indicate that any attempts you're making through the Workplace Health and Safety Agency are failing to reduce accidents: inspectors down 11%; inspections down 40%; orders down 32%; stop-work orders down 42%; number of cases prosecuted—very important here, Minister—down 69% in that same time period, and yet the facts in your own document—not something I've made up—from your ministry show that just in 1992-93 we have skyrocketed with critical injuries in Ontario 45% over 1991-92; reported occupational illness and diseases increased by an incredible 85%.

Minister, the words don't match the music. What you're telling us is not a reality in the workplace. You stand there today, and I believe that you personally want to believe this, and say that you want to do more for injured workers. Your ministry is doing less. The facts have been published by your own people. Will you make a commitment to take a look at these statistics and do something to help injured workers in this province?

**Hon Mr Mackenzie:** One of the things I've never stopped doing, and I get the reports on a monthly basis, is looking at the figures in terms of injured workers and what our record is, and our record has been improving.

I'm surprised the member doesn't recall his own party's arguments that internal responsibility is one of the things that should be the keynote for health and safety in the workplace.

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#### EMERGENCY SERVICES

**Mr Ernie L. Eves (Parry Sound):** I have a question for the Minister of Health. The Parry Sound district municipal association this past Monday held its spring meeting, and one of the major topics of deliberation at the meeting was health care services in east Parry Sound, particularly urgent and emergency care. What are you and your ministry doing to provide and improve these services in east Parry Sound?

**Hon Ruth Grier (Minister of Health):** I'm afraid I can't speak precisely to the situation in east Parry Sound, but I can assure the member that the improvement and the better coordination and the better management of emergency services, if he's speaking about the transportation services and the ambulance services, has been very much part of the work of my ministry.

With respect to the situation in emergency rooms, which we know is a problem in some parts of rural and northern Ontario, we have been attempting, with the Ontario Hospital Association which has been extremely constructive and helpful in our discussions, and with the Ontario Medical Association, to come to some long-term solution to what has been a very long-time problem.

**Mr Eves:** When the Burk's Falls hospital was closed in 1992, the former Minister of Health, the Honourable Frances Lankin, promised that the new health care centre would have "the capacity for resuscitation, stabilization and preparation for transportation to an advanced care centre."

The Almaguin health centre cannot at present dispense these services because, among other shortcomings, your ministry provides funding for only one physician.

I read in the Almaguin News just yesterday that ambulance services in east Parry Sound, which are somewhat less than perfect at the best of times, will now suffer even further reductions due to discussions between the Ministry of Health and the Huntsville hospital.

What are you, as minister, prepared to do to ensure that residents of east Parry Sound have local access to these essential health care services and to deliver on the promises made by your predecessor?

**Hon Mrs Grier:** I'm certainly aware, because the member for Muskoka has been talking to me about the

Almaguin health centre, of the fact that it has been developing its plans and deciding on the functions that it can perform and looking as to how it can meet the needs of the residents of east Parry Sound. I'd be very glad to hear from the member or, certainly, to ask my ministry about the details of where precisely the plans are at this point and get back to the member.

#### FAMILY SUPPORT PAYMENTS

**Ms Margaret H. Harrington (Niagara Falls):** My question is to the Attorney General. Minister, we know that the family support plan has the responsibility of enforcing the payment of child support in this province and we know that it certainly has problems. One of the enforcement measures used is the garnishment of federal government transfers to individuals such as income tax funds, GST rebates and interest earned on Canada savings bonds.

I have been approached by several people, some of my constituents, who are recipients and payors through this family support plan. These constituents have raised a very serious issue about the delay that exists when funds are garnisheed from federal UIC cheques, from that time to when they are paid to the recipient. Why is there a delay of eight to 12 weeks between the time the funds are garnisheed and the time that the recipient receives these funds?

**Hon Marion Boyd (Attorney General):** I thank the member for the question. She is quite right that the average length of time on federal garnishments is about eight to 12 weeks, and there are two basic reasons for the delay.

The first is, as we all know, that there is a delay in the actual processing of unemployment insurance benefit applications by the federal government. Members who have constituents on unemployment insurance will know that process, in and of itself, often takes six to eight weeks.

The second reason is the time it takes for the garnishment application made by the province to be processed by the federal government. It's a fairly complicated process. It involves the province applying to the federal government department, and then the Justice department working with that particular department to have the garnishment enacted. Once the garnishment is made, the funds are then transferred to the Justice department, which then forwards them to the family support plan. So that's a fairly complex process.

Once the FSP receives the funds, they are sent to the recipient within two working days, but the length of time it is taking us to get those dollars from the federal government is quite a serious concern to us.

**Ms Harrington:** I'm also concerned about what measures you are taking on behalf of myself and our constituents here right across the province of Ontario to force the federal level to find a better and a faster way—there must be one—to process the federal garnishment and to pay these court-ordered child support payments.

**Hon Mrs Boyd:** I guess it's problematic for one level of government to be able to force any other level of government to do anything. However, what we can do is



to work very hard with our federal counterparts to ensure that those payments are being made in a timely way.

The staff from Ontario's family support plan and from all the other provinces, because we're working together on this, meet with the federal government, and our discussions provide an opportunity to review the process and to try and work cooperatively to eliminate some of the delays that exist both between provinces and between provinces and the federal government.

Most of the delays are experienced by payors who receive UI benefits, and they deal with the federal procedures with which we all try to cope. I can tell the member that the Ontario government continues to pressure the federal Liberal government to make changes that will reduce delays.

I can also tell the member that in terms of the FSP, we have made several improvements to the way in which we do collections and payments, the direct deposit option that I spoke about earlier, and some improved access to the inquiry line, but we continue to look at ways in which we can improve, and frankly, we appreciate the help that we get from members of this Legislature who often point out different problems that exist in their own ridings and give us some suggestions as to how those problems could be resolved.

#### NORTHERN HEALTH SERVICES

**Mr Frank Miclash (Kenora):** My question is to the Minister of Health. This past Friday, I met with a number of physicians from my riding, and I must say that they are extremely concerned about the lack of doctors for a very busy tourist season that will soon be upon us in the area of the northwest.

Madam Minister, I was told that last year the town of Kenora, for example, was able to attract eight temporary summer physicians to serve the medical needs of the area residents. This year, despite the efforts of both the administration and the Kenora medical community, they are unable to confirm even one doctor for this very busy tourist season.

As you might be aware, the population in the town of Kenora will quadruple in the summer months, and I would like to know what steps you have taken to ensure that the basic medical services are available in the northwest area of this province for this upcoming summer?

**Hon Ruth Grier (Minister of Health):** First of all, let me say to the member that the issue of how to make sure we have the doctors that we need in the parts of the province that we need them is one that has baffled governments for several years. It is not a new one and I profoundly regret that we don't have a better way of making sure that we have the professionals we need throughout the health system where we need them when we need them.

That is precisely why, for the first time, we now have the Ministry of Health, under our government, working with the Ontario Medical Association on a human resource strategy, and with the academic health science centres that are proving to be extremely helpful both in the way in which they train undergraduates in providing

opportunities for them to practise in other than urban areas, and so acclimatizing themselves to rural practice, and in helping us work up a better system of providing locums where they are needed.

There is no simple answer, and I don't have the power to order a doctor to practise anywhere in this province that a doctor decides they don't want to practise.

1510

**Mr Miclash:** Given the fact, again I remind you, that you have the ultimate responsibility for the health care needs of all of this province, for my constituents, for your constituents, for constituents across the province, and being that you were unable to attract the doctors that you actually said you were going to for the emergency needs of the community of Red Lake, I must ask you again, what plans do you, as the Minister of Health responsible for these services, have in place for the residents of places such as Kenora, Red Lake and the many other communities throughout the north where they do not have adequate medical services what they are saying they will not have for this upcoming tourist season.

**Hon Ruth Grier (Minister of Health):** With respect to Red Lake, as the member knows because as soon as I received the report I sent it over to him, the College of Physicians and Surgeons at my request sent two people to Red Lake to examine the state of medical services and to report to me on whether in fact the contingency plan the hospital had put in place was effective.

I was very relieved, as I'm sure was the member and his constituents, that their report was reassuring. It indicated that there was certainly a risk that people would have to wait longer because a nurse in the emergency room might have to make three phone calls instead of the one phone call they normally have to make in an emergency, but that the hospital, as is its responsibility, had put in place a contingency plan and that that contingency plan was working.

I expect every hospital to have a contingency plan if they are unable to find doctors who wish to locate in their communities, and I think you will find that certainly over this summer, if it is more difficult to find doctors than it has been in other holiday seasons, hospitals will respond creatively and constructively, as they have in Red Lake.

#### VITAL SERVICES FOR TENANTS

**Mr David Turnbull (York Mills):** My question is to the Minister of Municipal Affairs. Last fall, you may recall that I introduced a private member's bill, Bill 104, whose purpose was to allow local municipalities to pass vital-service bylaws so that vital services such as gas and electricity and water could be provided to tenants when landlords fail to provide them.

During committee hearings on Bill 95, tenants' groups and government members supported the concept of province-wide legislation. My question to you, Minister, is, will you take over Bill 104 and make vital services for tenants a government priority for this session?

**Hon Ed Philip (Minister of Municipal Affairs):** That is one of the issues we are looking at in the whole procedure of reviewing what should go into what is being

called the Sewell reform packages. Whether we do that as part of the Sewell reform package or by moving ahead your bill or a separate bill will be a government decision, but we take the issue quite seriously.

**Mr Turnbull:** At the time that I asked you last time you suggested that broad consultation needed to occur. It has occurred. During the forum on Bill 95, we had consultation. We had presentations for province-wide legislation from the Ontario Association of Property Standards Officers; we've got support from the Toronto Area Property Standards Officers association; we've got support from AMO, which wrote in a written submission to Bill 95 hearings, "This magnitude of support should be sufficient to warrant general legislation."

I'd like to just quote briefly from the East York Tenants' Association. They said in a letter: "Mr Turnbull's Bill 104 is very well written and the work has been done. It could go through the House very quickly with little or no opposition."

Minister, your members supported my amendments to make it province-wide legislation, but the fact was, for technical reasons, amendments couldn't be made to a private member's bill. The bill is already drafted. If you wanted to move forward, based upon your own words that if there was province-wide support, which there obviously is—

**The Speaker (Hon David Warner):** Could the member place his question, please.

**Mr Turnbull:** —you could introduce this legislation quickly. Will you either commit today to bring forward my legislation or, alternatively, will you urgently bring forward a bill based upon that as quickly as possible?

**Hon Mr Philip:** I agree that the tenant groups have supported his bill. In fact, if the honourable member cares to go into the archives of this Legislature, he'll find that I introduced a similar bill to his in 1977. I couldn't convince the then Conservative government to adopt the ideas. I certainly am much more open to adopting my own ideas and his ideas, which are similar, right now. We will move as soon as we can to deal with the problem, and I give him that assurance.

#### SPORT AND RECREATION FUNDING

**Mr Donald Abel (Wentworth North):** My question is to the Minister of Culture, Tourism and Recreation. Many Ontarians are extremely concerned about the state of recreation funding in this province. Provincial sport and recreation organizations provide leadership and resources to the recreation community. However, you have decided to cut provincial funding substantially, I believe in some cases as much as 24%.

This has had impacts in terms of leadership development and travel for our young athletes, and I'm worried that the less fortunate children in Ontario are being especially affected. The value of recreation cannot be overstated. Some of my constituents are telling me they feel the entire sport and recreation system is at risk. Minister, how can you justify these cuts?

**Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation):** I want to begin by thanking the member for his question, which recognizes very clearly

the multifaceted value of recreation to this province, and to point out that in fact this government has a very strong commitment to the value of recreation, which is why we were not asked to cut that funding any more than we had to cut funding in any other area.

In fact, when we were grappling with the extent of the deficit reduction we were trying to achieve last year, my ministry staff thought they had to recommend a much tougher cut to the provincial sport organizations and provincial recreation organizations than I thought our government could tolerate. Our government therefore quite strongly protected that funding as much as we possibly could.

The reality is that of course everybody has had to be able to look at how we can do more with less these days. I'm delighted with the fact that the provincial sport organizations and the provincial recreation organizations have also become increasingly creative about how to work with this government in being able to do exactly that, being able to do more with less on behalf of the youth and the adults of this province.

**The Speaker (Hon David Warner):** The time for oral questions has expired. Motions.

#### WRITTEN QUESTIONS

**Mrs Barbara Sullivan (Halton Centre):** On a point of order, Mr Speaker: I rise on a point of order under section 97(d) of our standing orders, which requires that when written questions are placed on the order paper, the minister to whom those questions are placed will respond in 14 days.

I have a number of questions on the order paper. They are singularly important public issues; they are not frivolous questions. Question 483 was due April 5, there has been no response; question 484 was due April 5, there has been no response; 485, due April 5, no response; 486, due April 5, no response.

Question 487, I've had an indication from the Minister of Health that a final response would be available on April 22. That has not come. Question 491, with respect to draft regulations under Bill 101, was due on April 20; I've had no response. Question 502 was due April 26, no response; question 512, due April 26, no response; question 515, due April 26, no response.

These are not questions for which an enormous amount of research is required. They're very factual questions for which we require answers from the minister. We have received an indication from the minister that on some singularly simple requirements, responses can't come until the end of May. Question 505, by example, which asks the minister to document the shortfall in receipts from long-term care residents, has not been answered.

The minister clearly knows, because that's part of her estimates for next year. We want these answers, and I hope you will note that the minister is in fact in breach of the rules of order of the House.

**The Speaker (Hon David Warner):** The member for Halton Centre has a point of order. Perhaps she could indicate whether or not all of the questions which she has identified are to the same minister and, if so, to which minister.



**Mrs Sullivan:** The questions for which I'm awaiting a response have all been directed to the Minister of Health. I have received responses from the Minister of Citizenship on one or two questions which have been posed.

**The Speaker:** The member has correctly brought this to the attention of the House, and we will trust that the responses will be forthcoming.

**Mr John C. Cleary (Cornwall):** Mr Speaker, I have a petition.

**The Speaker:** Petitions. The member for Cornwall.

**Hon Brian A. Charlton (Government House Leader):** Mr Speaker, you had called for motions, and this member had been up for a point of order.

**The Speaker:** I apologize. I didn't notice that there was a motion available.

1520

### MOTIONS

#### COMMITTEE SUBSTITUTIONS

**Hon Brian A. Charlton (Government House Leader):** I move that the following substitutions be made to the membership of the standing committees:

The standing committee on regulations and private bills: Mr Hodgson for Mr Johnson (Don Mills).

The standing committee on finance and economic affairs: Mr Johnson (Don Mills) for Mr Cousens.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

### PETITIONS

#### CANCER TREATMENT

**Mr John C. Cleary (Cornwall):** I have a petition signed by 12 constituents of Cornwall and eastern Ontario and it reads as follows:

"We, the undersigned, do hereby petition the Legislative Assembly of Ontario as follows:

"That the Legislative Assembly urge the Minister of Health to respond forthwith to the issue raised in the Liberal task force on cancer care, including the urgent need for radiation equipment, addressing shortages in training personnel and providing adequate information and non-medical services for patients."

I've also signed the petition.

#### JUNIOR KINDERGARTEN

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the previous provincial Liberal government of David Peterson announced its intention in its budget of 1989 of requiring all school boards to provide junior kindergarten; and

"Whereas the provincial NDP government is continuing the Liberal policy of requiring school boards in Ontario to phase in junior kindergarten; and

"Whereas the government is downloading expensive programs like junior kindergarten on to local school boards while not providing boards with the funding required to undertake these programs; and

"Whereas the Wellington County Board of Education estimates that the operating cost of junior kindergarten

will be at least \$4.5 million per year; and

"Whereas mandatory junior kindergarten programs will force boards to cut other important programs or raise taxes; and

"Whereas taxes in Ontario are already far too high;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government of Ontario cancel its policy of forcing junior kindergarten on to local school boards."

I support this petition.

#### CASINO GAMBLING

**Ms Margaret H. Harrington (Niagara Falls):** I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas the issue of legalized casino gambling is a sensitive and controversial issue; and

"Whereas this government has said it would not put a casino anywhere there is not overwhelming support; and

"Whereas we believe that the city council of Niagara Falls, Ontario, has not received a mandate to introduce casino gambling from the people of Niagara Falls at the last municipal election;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We who are opposed to casino gambling request that the Legislative Assembly of Ontario not allow the city of Niagara Falls to become a candidate for casino gambling unless there is broad-based public support for such a facility, which we are requesting to be determined through a referendum vote by the citizens of Niagara Falls."

#### REFUGEES

**Mr D. James Henderson (Etobicoke-Humber):** I have a petition to the Legislative Assembly of Ontario which reads as follows:

"The petition of the undersigned residents of Ontario who now avail themselves of their ancient and undoubted right to present a grievance common to your petitioners, in certain assurance that your honourable Legislature will therefore provide a remedy; herewith:

"Whereas lack of policies by the provincial government to properly fund, house and settle genuine refugees entering this country is causing severe social and economic hardship;

"Whereas it is the shared responsibility of the provincial government to assist and educate refugees in order to integrate them into Canadian society;

"Wherefore, the undersigned, your petitioners, humbly pray and call upon the Legislature to urge the government to implement policies to alleviate the social and economic suffering forced upon the undersigned residents of Canada; to implement policies for the settlement, housing and education of present and future properly qualified residents; and to ensure that the costs of overcrowding in housing not be borne by the owners of condominiums, residents, seniors, pensioners and people on fixed incomes, single parents, young families, widows,

widowers and the unemployed.

Dated April 26, 1994, this petition has been signed by close to a thousand residents of Etobicoke, and I have affixed my signature as well.

#### SEXUAL ORIENTATION

**Mrs Ellen MacKinnon (Lambton):** "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 55 will make it illegal, with fines of up to \$50,000, for people to make any public statement, written or oral, which ridicules, demeans or discriminates against a person on the grounds of sexual orientation, still undefined. This is a grave threat to free speech in a democratic society.

"Bill 55 is also an attack on freedom of religion, against historical Christianity, which does not condone homosexuality.

"We want to maintain our basic right to disagree with homosexuality, which in no way should be equated with hatred.

"We have moved away from a position where some homosexuals and other special-interest groups are no longer content to express their ideas, but are demanding that contrary views be suppressed with stiff penalties.

"At the same time, these special-interest groups will be allowed to teach their controversial alternative lifestyles to youngsters in the classrooms, thereby—I'm sorry, but I cannot pronounce the next word, something to do with children—"children with their viewpoints without allowing for differing opinions."

#### FIREARMS SAFETY

**Mr Frank Miclash (Kenora):** My petition is to the Legislative Assembly of Ontario and reads:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

That's signed by a good number of my constituents, and I too have attached my name to that petition.

#### SEXUAL ORIENTATION

**Mr Robert W. Runciman (Leeds-Grenville):** I have a petition addressed to the Honourable the Lieutenant

Governor of the Legislative Assembly of Ontario.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Liberal Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it.

"We believe that there will be an enormous negative impact on our society, both morally and economically, over the long term if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, which is enjoyed by everyone by law now. But since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code and may include sadomasochism, paedophilia, bestiality etc, and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age and sex, we believe all such references should be removed from the Ontario Human Rights Code and Bill 45.

"Therefore, we request that the House refrain from passing Liberal Bill 45."

#### LAP DANCING

**Mr Pat Hayes (Essex-Kent):** I have a petition against the legalization of lap dancing in Ontario bars signed by residents from Dresden, Thamesville, Charing Cross, Blenheim, all across my riding and Mr Hope's riding: "We, the undersigned, are opposed to the ruling of lap dancing in strip bars. We feel this violates our codes of morality or decency and we want steps taken to overturn this decision."

1530

#### EDUCATION FINANCING

**Mr Robert Frankford (Scarborough East):** I have a petition from a number of residents of Scarborough.

"To the Legislative Assembly of Ontario:

"Whereas the British North America Act of 1867 supports the right of Catholic students to a Catholic education, and the province of Ontario supports two educational systems from kindergarten to grade 12/OAC; and

"Whereas the Metropolitan Separate School Board educates more than 103,000 students across Metropolitan Toronto, and whereas this is equivalent to 30% of all the students in this area; and

"Whereas the Metropolitan Separate School Board is expected to provide the same programs and services as its public school counterpart and must do so by receiving \$1,822 less for each elementary school student and \$2,542 less per secondary student based on 1983 estimates;

"We, the undersigned, petition the Legislative Assembly of Ontario to act now to ensure that Ontario's two principal education systems are funded fully and equally."

I'm pleased to affix my signature to this.

#### SALE OF AMMUNITION

**Mr Alvin Curling (Scarborough North):** To the Legislative Assembly of Ontario:



"Whereas it is imperative that we make our streets safe for law-abiding citizens;

"Whereas any person in Ontario can freely purchase ammunition even though they do not hold a valid permit to own a firearm; and

"Whereas crimes of violence where firearms are used have risen at an alarming rate; and

"Whereas we must do everything within our power to prevent illegal firearms from being used for criminal purposes;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To immediately pass Liberal Bob Chiarelli's private member's bill, Bill 151, to prohibit the sale of ammunition to any person who does not hold a valid firearms acquisition certificate or Ontario Outdoors Card."

#### SEXUAL ORIENTATION

**Mr Robert W. Runciman (Leeds-Grenville):** A petition addressed to the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a union between a man and a woman are under attack by Liberal MPP Tim Murphy in his private member's Bill 45; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no PC in the second reading debate on June 24, 1993; and

"Whereas this bill is currently with the legislative committee on administration of justice and is being readied for quick passage in the Legislature; and

"Whereas this bill has not been fully examined for financial and societal implications,

"We, the undersigned, petition the Ontario Legislature to stop this bill and to consider its impact on families in Ontario."

#### WORKERS' COMPENSATION BOARD

**Mr Drummond White (Durham Centre):** I'll be brief. I have a petition to the Legislative Assembly of Ontario and it's concerned with the Workers' Compensation Board and the costs that have accrued to that board.

#### FIREARMS SAFETY

**Mr Gordon Mills (Durham East):** I have a petition from the Ontario Federation of Anglers and Hunters in my riding and they say:

"To the Legislative Assembly:

"Whereas we want you to know that we strenuously object to your decision on the firearms acquisition certificate course and examination; and

"You should have followed the OFAH advice and grandfathered those of us who have taken safety courses and/or hunted for years; and

"Whereas we should not have to take the time or pay the costs of another course and we should not have to learn about classes of firearms that we have no desire to own;"

And they've undersigned the petition:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms course or examination."

#### MOTORCYCLES

**Mr Randy R. Hope (Chatham-Kent):** I have a petition to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, are of the opinion that private insurance companies are exploiting Ontario motorcyclists and snowmobile operators by charging excessive rates for coverage or by outright refusing to provide coverage;

"Whereas we, the undersigned, understand that those insurance companies that do specialize in motorcycle insurance will only insure riders for four or more years of riding experience and are outright refusing to insure riders who drive certain models of supersport bikes; and

"Whereas we, the undersigned, believe this situation will cost hundreds of jobs to dealerships and to the motorcycle industry and is contrary to the rights of motorcyclists and snowmobile operators;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario should study the feasibility of launching public motorcycle and snowmobile insurance."

I do affix my signature to it.

#### TRANSPORTATION FOR THE DISABLED

**Mr Larry O'Connor (Durham-York):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Metro licensing commission and Metro Toronto council passed bylaw 95-93, prohibiting cross-boundary accessible taxi services which serve mobility-impaired individuals; and

"Whereas cross-boundary accessible transit service, originating in the town of Whitchurch-Stouffville by AAA Transport Ltd, is being adversely affected by the Metro Toronto bylaw; and

"Whereas dozens of citizens in Whitchurch-Stouffville rely on this accessible taxi service to travel to jobs and hospitals and other services in Metro,

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario work with the council of Metro Toronto and the Metro licensing commission to exempt accessible taxi vehicles from existing legislation and bylaws to allow them to better serve the residents of Whitchurch-Stouffville."

I affix my signature to this and hope that it gets passed through Metro council very quickly.

#### FLOOD PREVENTION

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** The following petition has been circulated and signed by the residents of Harewood village in the township of Ernestown as a follow-up to the negative response of the Ministry of Transportation towards the repeated flooding problems in the village. "We also wish to clarify the misunderstanding which seems to exist with the ministry regarding the problem to be a personal

problem of only one resident."

"To the Legislative Assembly of Ontario:

"We, the undersigned, wish to request the Ministry of Transportation to fully investigate, appropriate and carry out the necessary changes to divert all or part of the spring and heavy rain runoff waters which are fed into the village by means of a large culvert crossing Highway 33, located north of the village. These changes are necessary to relieve the residents of the village of the constant fear, hardship and damages caused by surface and underground water floods during these wet periods."

Many residents signed this petition, including Len and Lettie Hessels, Maurice and Sandra Baird, and Beverley and Edward Hawkins.

#### INTRODUCTION OF BILLS

##### CHILDREN'S LAW REFORM AMENDMENT ACT, 1994

##### LOI DE 1994 MODIFIANT LA LOI PORTANT RÉFORME DU DROIT DE L'ENFANCE

On motion by Mr Rizzo, the following bill was given first reading:

Bill 156, An Act to amend the Children's Law Reform Act / Projet de loi 156, Loi modifiant la Loi portant réforme du droit de l'enfance.

**Mr Tony Rizzo (Oakwood):** The bill intends to emphasize the very important relationship between children and their grandparents, because in the bill that we have now, it's not enough. I think this amendment would recognize that it is a very important thing that this is going to be passed in order for the grandchildren and grandparents to stay together and enjoy their relationship.

#### ORDERS OF THE DAY

##### EMPLOYER HEALTH TAX AMENDMENT ACT, 1993

##### LOI DE 1993 MODIFIANT LA LOI SUR L'IMPÔT PRÉLEVÉ SUR LES EMPLOYEURS RELATIF AUX SERVICES DE SANTÉ

Resuming the adjourned debate on the motion for second reading of Bill 110, An Act to amend the Employer Health Tax Act and the Workers' Compensation Act / Projet de loi 110, Loi modifiant la Loi sur l'impôt prélevé sur les employeurs relatif aux services de santé et la Loi sur les accidents du travail.

**The Speaker (Hon David Warner):** I believe where we left off, it was the honourable member for Etobicoke West who had the floor.

**Mr Randy R. Hope (Chatham-Kent):** Explain your position this morning for us, seeing you weren't here.

**Mr Chris Stockwell (Etobicoke West):** The member from Chatham's clattering. I didn't hear you.

**Mr Hope:** I just said, explain your position. You weren't here this morning.

**Mr Stockwell:** I was in favour of that because I wrote it. Good thinking, eh?

I left off yesterday speaking about the cost of the health care system and how this would go about fixing the mess that's now in place with respect to the employer health tax and the card and the fraud and so on. When you go about the province discussing the health care system with people, there seems to be a universal acceptance of the universality of the health care system.

I will say that when the Liberals brought in the employer health tax, and I spoke about this briefly yesterday, there was some thought that this would go a long way in resolving the issue of accountability, chasing the people who were maybe not paying their premiums or fell off the table when they changed jobs and so on and so on.

1540

But I would like to add that the argument put forward by the government of the day and often put forward today is that when they introduced the employer health tax they in fact dropped the premiums on the OHIP payments, and there was some kind of argument at that time by the Liberal government that, yes, in fact they were implementing a tax but at the same time they were taking one away.

I think we have to be clear about that. It's very true on first look that, yes, they were putting an employer health tax in place and they were dropping the premiums, but the difference between the amounts of dollars they were collecting was very, very significant. The premium dollars they were collecting were hundreds and hundreds of millions of dollars less than the employer health tax was going to generate as a tax on business. So when we were told about the new plan, we all thought, or at least the Liberals thought, this would do two things: It would generate more revenue for the coffers, which it did do; and it was going to fix the system so that there wouldn't be as much fraud or administration. Well, it generated more money, but as far as the fraud and administration end of it, it simply exacerbated that problem. We have a far greater problem today with the adoption of the employer health tax than we did pre-employer health tax.

This particular piece of legislation, although some in the Liberal Party—and I know the NDP were fully in favour at the time—may argue about the benefits of it, has really been a disaster in the true sense of the word, a disaster for the reasons I just made. It generated more tax money and created more taxes for business to pay, which again made them less competitive. But you'd think that if you're paying more money, the administration would tighten up and you wouldn't have as much fraud and so on. Well, that's exactly the opposite.

We hear daily in question period and in this Legislature, particularly from our member for Simcoe West, Mr Wilson, about the concerns with respect to duplicate cards and the fraud that's taking place, and I don't blame this government solely for that happening. I don't blame this government for this taking place, because I fundamentally believe that had anyone been in power this kind of thing would have happened, because the system was ripe to be ripped off.

Why do I say that? Well, I say that because any government program, an administrative program specifically, must include a check and balance system within that program to ensure people don't rip it off, because whether you like to think this way or you don't like to think this way—and I think the government in power tends not to like to think this way—there are people out there who are going to rip you off. Case closed. They're just going to rip you off. They're not fairminded individ-



uals. They're not what we would classify in this House as the kind of people you'd do business with or the kind of people you'd look up to. They're just out there to rip the system off, case closed, and there is going to be a percentage of people within the population who will rip the system off. So if you've created a system that makes it easy to rip off, you're going to get ripped off, and ultimately, with the introduction of the employer health tax, that's what's happened.

I made the point many years ago when we were debating about this, why is this system easier to rip off than the old system? Well, because nobody's insured any more individually. You're only insured in the collective, the collective being a simple percentage of your payroll is paid as an employer health tax. When you have a simple percentage paid, there's never a person or family or individual who's insured; it's just the collective payroll of that company.

Why doesn't that work? Because the government has no idea when they receive the cheques from the company who these cheques are for. They just know it's a percentage of the payroll.

I'll tell you, Madam Speaker; I'll give you this guarantee: The moment you make it a collective payment plan, the moment you say individuals are no longer insured and the moment you say individuals are no longer covered, then you will be guaranteed that the system will be ripe for being ripped off.

What are the solutions? Well, some solutions have talked about photo cards and others have talked about maybe a system that can go back to the premium payments. I noticed the member for Scarborough East made the comments yesterday with respect to some system for premium payments for people who are visiting the country etc.

I would argue steadfastly that the best approach to use is to again go back to insuring individuals rather than the collective. Why I argue that way is, there is an administrative headache, I agree, in trying to keep track of 10 million people, but on the whole it makes more sense to go about keeping track of 10 million people as best you can, and in some cases for the government, that's not great, but it's better than not trying to keep track at all.

I'll tell you something, as sure as I'm standing here today, the Minister of Health will go back to a system that somehow reinsures the individual rather than the collective, or the next government will go back to a system of identifying individuals through photo ID, through premium payments, through some form of system that identifies individuals and will ultimately keep better track.

I will also say this: People who pay premiums for a program rather than getting them free think longer and harder about taking advantage of that program. I'm not saying that because it's a philosophical approach or a political approach; I think it's just human nature. If you ask people to pay for a program—not even pay for the full pop of the program, just pay for some percentage, small as it may be, like OHIP—then when they go to use that service, they have an understanding that yes, in fact this program costs money.

The moment that the government, be it municipal, provincial or federal, will go out and offer a program gratis, with no cost involved, no small premium payment, with no idea how much it costs, this program will cost you a lot more than you ever thought it would, because people think it's free. They think: "Nothing comes out of my pocket. I have no idea how much this is, what it costs to go see the doctor for a hangnail or a sniffle." They think this is somehow free; it's not, never has been and never will be. There's a cost to the taxpayer, the collective taxpayer.

This seems to be where we have gone in divergent paths with the government in power today. I say that too because we see it in all kinds of things today, and maybe this government is finally coming to the realization that you can't go about giving away programs for free; there has to be some kind of applicable cost to that program.

I'll tell you where that has become very clear to me, and maybe this is an argument that can be traced back to the employer health tax as far as the premium is concerned. The Treasurer has been bringing in budgets now three times, this will be his fourth, and in each budget he has gone about with great care to ensure that he has increased service costs or fees. Why has he increased fees?

I see my friend the member from Davenport coming in.

**Hon Tony Silipo (Minister of Community and Social Services):** Dovercourt.

**Mr Stockwell:** Dovercourt, sorry; near Davenport, actually. He will recall vividly sometimes in the 1970s and 1980s that the socialists often argued against, vehemently opposed at both the municipal and probably the provincial levels, any kind of user fee, period, whether it be in a rec centre or a skating rink or a campsite or any of those kinds of things. They opposed that because they thought there should be universal access. But now as you see budgets coming—

**Mr Kimble Sutherland (Oxford):** No.

**Mr Stockwell:** I know the member for Oxford says no, but I can point to you chapter and verse.

**Hon Mr Silipo:** Not campsites.

**Mr Stockwell:** Well, maybe not campsites, but I can point to you chapter and verse, not just that member, who I don't have as much experience with, but certainly the member for Etobicoke-Lakeshore, who opposed any kind of fee at all at a municipal level for access to programming.

1550

I say to you that maybe your opinion has changed. Why has it changed? Because I think you're finally coming to realize that when you offer these programs for free they end up costing you significantly more than you expected them to and there's no revenue to charge back against those costs. That can be directly related back to the cost of health care in this province, because the cost of health care in this province has grown at such a staggering rate it would take your breath away.

I say to the members across the floor that in 1985 in this province, I think it was the last provincial Conserva-

tive budget, the entire cost of running this government in the province of Ontario those 10 short years ago was in the neighbourhood of some \$17 billion or \$18 billion.

*Interjection.*

**Mr Stockwell:** Ten years ago. Well, we have a disagreement, but anyway, it was significant. Today, the health care system in the province of Ontario costs as much as it did to run the whole province those 10 short years ago.

The question you have to ask is, have the needs of the public dramatically increased to the point that it needs this kind of money spent on the service? Or maybe, have the governments of the day, particularly in the last half of the 1980s, less so under this government, been offering services that weren't covered and in fact were not expected to be covered, but once given to the general public can no longer be recaptured? That's a question that needs to be asked.

I don't know if I'll be using all my minutes. I will say that I think the debate will become an election debate. You'll probably find all parties pretty much on side with respect to health care and the universality of health care. But as I said yesterday, if there is a dedication from each party to protect the health care system and the universality of the health care system, I insist that no chipping away be done at the outside of that system. Either you're in favour of universality or you're not.

I would ask the public to ask those people who come to their doors, when they say they're in favour of universal health care and when they talk about a \$17-billion expenditure in health care and when they talk about collecting \$40 billion in revenue and spending \$50 billion, where are they going to make the kinds of cuts that are needed to be made to balance this budget and bring business back into this province if they're not prepared to look at least \$17 billion of a \$50-billion budget?

When you talk about debt servicing, you're talking about \$7 billion of \$17 billion. When you add debt servicing into the \$17 billion, you're suddenly up to \$23 billion. When you add in education and other forms, you're at \$30 billion before you know it. If you're at \$30 billion of these particular programs that this government says are sacrosanct—you can't touch them, they're sacred cows—then where is it you're going to make cuts that are going to balance this kind of budget, considering you're spending \$10 billion you don't have to begin with?

This is the folly of this debate. The folly of this debate is that we all stand up and have beautiful and lovely words about the safety of our health care system—

**Mr Tim Murphy (St George-St David):** Speak for yourself.

**Mr Stockwell:** Well, no, I spoke for the member for Bruce. He was very eloquent in his comments with respect to the safety net, and I think it's a wonderful thing. It's a good idea to stand up and say those kinds of things.

But what doesn't get answered, not just by the Liberals, although they're famous for not having very fine-tuned, economically sound policies, but even by the government itself—the government should take a lesson

in this as well. I don't understand how you're going to protect all these safeties—the social safety net, the health care system, education—continue to spend the dollars you claim you're committed to spending and then also argue that you're going to reduce the deficit and balance the budget. I don't know how you can do it. I honestly don't know how you can do it, considering the spending levels we're at today.

As I said before, you collect \$40 billion and you spend \$50 billion. Health care and those etc's add up to about \$30 billion. If you cut everything else out except education, social services and health care, and debt servicing—you have no choice—you'd have to cut every single ministry, every single staff, every single person to balance the budget.

Those are the questions the public needs to ask, because the next government that is lucky enough to be elected in this province, be it the government in power or the Liberals or us, is going to be faced with probably a greater dilemma than this government. They're going to have to go out to the people and they're not going to buy these sops any more, the Agenda for People; they're not going to buy that sop any more. They're going to want some real, honest answers, and the answers have to begin with, what is considered less of a priority and what is going to be cut that is going to create a balanced budget, or at least deficit reduction, to have competitive businesses in this province again?

I can speak for myself with respect to the cuts I think you'd have to go to. You're going to have to go to a series of cuts in this province that I think the government would find somewhat draconian in some nature, but it's going to have to be done to get you a balanced budget.

Who'd have thought we'd be sitting here today waiting for the fourth budget from the Minister of Finance, and that in previous budgets he'd be talking about reopening contracts and renegotiating them, a gentleman who would be talking about increasing fees to the boy scouts, for heaven's sake, and the girl guides? Who'd have thought a socialist would be talking about this? Who would have thought a socialist would have been talking about photo-radar and casino gambling?

I understand why they did those things. I understand why they didn't go to fully funded public auto insurance. They couldn't afford it, it's that simple. They couldn't afford the massive layoffs in the private sector and the cost of incurring fully funded government auto insurance.

What we have here is three parties coalescing to the right of centre. It's just that simple. We have three parties coalescing to the right of centre: the Liberals, the Conservatives and the NDP. Some on the spectrum are maybe less right than the others, I will admit, but surely even the most ardent supporter of this government would admit that it has gone a considerable distance from the left of centre to the centre and maybe marginally to the right. Even the most ardent supporter would argue they've come considerably closer to the centre, maybe even to the centre, than they used to be in opposition.

I will say about the Liberal caucus, and it can enter into this debate, that it has gone out further on the right of centre, considerably further on the right of centre, than



has been its traditional party history. Why is this? This debate is a microcosm of the rationale. The microcosm is, no longer can we simply say we will be all things to all people in this province. It can't be done any more, and for one reason. As hard as it is to swallow for the government in power—and I know it's hard to swallow, but it's an accepted fact—the one reason is it doesn't have the money. They're broke; they haven't got the tax revenue and they have had to break a series of promises to maintain some fiscal sanity in this province—if you think three credit rating downgrades and \$10 billion is fiscal sanity. That's with the hard decision-making they took on the social contract and others.

I know full well the serious problems they must have had in caucus when it came to no public auto insurance, gambling casinos, the social contract. It must have been hell to sit through those caucus meetings, it must have been hell to rationalize on those principles, but it all comes down to that terrible word that nobody likes to say makes decisions but always does: money. Money is the bottom line to this government and any future government.

We can't be all things to all people any more. The point I wanted to make on the health care system is that if the health care system is untouchable and if it will always be universal and if all people will have access at all times—and I know the Minister of Health has a difficult problem. Every day in the House someone stands up, particularly from northern Ontario, and complains—

**Hon Ruth Grier (Minister of Health):** And says spend more money.

**Mr Stockwell:** Spend more money, exactly. They stand up and say, "Spend more money." If that is going to be the protected sacred cow, then no longer can you make the same arguments for education or social services or the other services we provide in this province.

I will not stand in future, particularly in this election, for members of this House to go out, and the people who are competing against those members, to tell the people they will continue to give them everything they've always had, including lower taxes, lower deficits and balanced budgets, because that is bunk. That's more bunk than the Agenda for People, and that's going some far, if you can do that.

I was glad to take part in this debate, because I'll tell you something: The general public out there is in a very interesting mood. The mood of the general public is sort of like this: "I understand what the situation is. I understand there's going to have to be a change in the way government is run in this province, and I understand there are going to have to be some decisions made that are tough decisions that will not necessarily please 100% of the people in this province, but we are prepared to accept those decisions."

All the public is asking us today is, "Allow us the opportunity of seeing what those decisions are and we will be happy"—not happy—"we will accept the fact that we will have to give priority to certain programs, and some programs will go and some will stay." I only ask that we give the public the opportunity to pick which programs go and which stay, and I think you can kiss

multicultural grants goodbye, you can kiss all those programs goodbye. When it comes down to the short strokes, the general public in this province wants to maintain their health care system, some reasonable form of education, and everything else may well be on the table.

1600

**The Acting Speaker (Ms Margaret H. Harrington):** Questions or comments?

**Mr Sutherland:** I appreciate the member for Etobicoke West participating in the debate. Once again, he gave his normal, consistent view, may I say. There's no doubt that he's very consistent, but I think he gave a somewhat simplistic view of how things are done.

For example, when you talk about health care and all the public services, does that mean everything we're doing right now is of value in those systems? Does that mean we just continue to do them?

I see the other member here from Mississauga. She took me to task the other day because I cited a scientific study that appeared in the *New England Journal of Medicine* which clearly indicated that many of the CAT scans and MRIs don't have any value or that too many of them are being done when they shouldn't be done. She took me to task for saying that: "Oh, that's an awful thing."

But at some point when you're looking at these, you've got to examine those issues. If in certain areas they don't have a value in our system, we've got to look at that to find those efficiencies.

Let me just say with respect to this bill that it is a measure of fairness. I understand people don't like the employer health tax in general, but it does need to be done in terms of what we're doing with respect to this bill.

I appreciate the member's comments, but we need to keep in mind that maybe everything we're doing in our health care system, our education system, our other systems right now, isn't the most effective thing to do and that changes can be made to improve them. I don't think anybody should be afraid of examining those services to make those decisions.

**Mr Murphy:** I too would like to join in the comments on the speech of the member for Etobicoke West. I may wish to say something slightly heretical here in agreement with him, which is that there is one reason why it was a good thing that the NDP was elected in 1990—one reason—and that is because we will now have a circumstance where there are three parties who've actually had to serve in government and make some of the hard decisions.

What we had historically in this province was the NDP as a third party that was prepared to promise essentially everything to all people on one end of the spectrum and raise the expectation level of what could be delivered by government and provide an out for making hard choices. I agree with the member from Etobicoke West that what is coming—what is here—is that the process of governing is going to be the process of making hard choices.

There are three ways you solve the deficit situation:

either more taxes, government efficiency, or fewer services. Taxpayers are telling all of us that more taxes isn't the way to go about it, and I'm not sure the savings required to achieve the deficit reduction that needs to be made can be done through government efficiency in the sense of delivering it more effectively. In some cases, there can be savings that way. That doesn't mean we stop pursuing that. I think of the Wellesley Hospital in my riding, which has done an excellent job of turning a difficult situation around and is now in a surplus situation.

How the debate on which services are kept and how they are kept is going to be conducted is going to be important. The election will be about this debate if we are honest about the issues we're going to put before the public. But we have to look at more innovative ways than this government has pursued about having that debate, and I look forward to the opportunity to see if that actually occurs.

**Mr David Turnbull (York Mills):** It seems to me that what my colleague the member for Etobicoke West has been talking about is fundamental honesty. It's very easy for members of political parties to all stand off and say, "I don't agree with what they're saying." But the fact is, we now have a budget which is so much above what we gather in revenues—nobody could possibly say there's a lack of revenue, because we are now so heavily taxed that there is no capacity for more taxes. The only saving graces we have ahead of us are more efficiency in the system and increases in our GDP, and increases in GDP are highly related to how effective we are in attracting and keeping businesses.

As my colleague said, if you leave health care alone and you leave education alone, you have so many other areas of government that would have to be cut back to almost zero or zero as to be unrealistic. Now we have to come to grips with how we increase the efficiency of the health care system, and we must be very honest.

Everybody wants universal health care, and I believe everybody in this chamber is in favour of universal health care, but the point is that we are going to have to fund it maybe differently. The trouble this government has is that it is so tied up in its old rhetoric. They are so tied up in all those years of being in opposition and always saying that the government of the day was wrong that they find their area for movement is so limited. That's the difficulty they are facing. My friend speaks of honesty, and I hope the government can have the guts to come to terms with its rhetoric being jettisoned.

**Mr Robert Frankford (Scarborough East):** I listened with interest to the member for Etobicoke West. I don't believe he addressed the suggestion of his colleague the member for York Mills about \$10 user fees, which I remember him bringing up yesterday. I trust his caucus is developing a unified position on that and that we will be fully informed about what they're favouring.

**Mr Turnbull:** We've always been more up front in our caucus than the NDP ever was.

**Mr Frankford:** I'd appreciate the opportunity to bring forward some of my suggestions.

I also agree with what I think I heard the member for York Mills saying about the need for an efficient health system and the possibility of savings. I agree with the statement of federal minister Marcel Massé of a few months ago, when he said, looking at European models, that we could reduce our proportion of GDP spending on health. I don't know how much exactly he suggested, but certainly, let's say, 1% of GDP, which is getting us somewhere into a quite manageable range with actually a greater degree of universality.

Mr Massé retracted because it was immediately interpreted that he was suggesting unacceptable slashes and just cutting back on health care. I think it's unfortunate, and I would be very interested to see what is actually going on at the federal level with the minister and ministers like Massé.

**Mr Turnbull:** What are you saying?

**Mr Frankford:** The member is asking me what I am saying. I believe we need to move to a more universal, better-structured system informationally, a primary-care-based system, as, for instance, has been suggested by Dr Forster of Ottawa—

**The Acting Speaker:** The member's time has expired. Two minutes' reply, the member for Etobicoke West.

**Mr Stockwell:** Listen, I don't disagree that there can be saving in the system. There can be. There can be saving by, as they say, spending smarter or rationalizing and so on and so forth, but let's not kid the troops. You can't save the kind of money we need to save by saying we can spend smarter. It isn't there.

If I don't need to explain this to anybody, I don't need to explain it to this caucus over here. If you thought you could rationalize without affecting services, you would have done it by now and you probably would have had deficits significantly less than \$10 billion.

The point I'm trying to make is that if you're going to go out on the campaign trail and say, "We'll just spend smarter and make efficiencies in the system and we can balance the budget and keep all the services," they're going to see through you like a cheap pane of glass.

You know what? There's nothing I find more difficult than to watch the Minister of Health stand before us and tell us there are no user fees in the system. Folks, we know there are user fees in the system now. We know they're everywhere. Go get an ambulance in Simcoe and it costs you money right out of your pocket, like Central America. That's what it costs you.

**Mr Hope:** Central America?

**Mr Stockwell:** Sure. It costs you money. If you want an ambulance, you've got to peel off some dollars and give it to them.

We know there are user fees in the system. The worst part is to see ministers trying to defend the fact that there aren't. We have to come clean. I don't think the public wants user fees, but you know something? If you gave them a choice between fully funded, fully paid-for, universal, accessible health care, and multicultural grants or sports grants or programs like that, or civil servants, they'd choose health care in a second. There's your decision.



**The Acting Speaker:** Is there any further debate? If not, the parliamentary assistant. Would he wish to make any comment?

**Mr Sutherland:** I just want to thank all those who participated in the debate. I think we've had a full discussion of the issue.

1610

**The Acting Speaker:** Mr Sutherland has moved second reading of Bill 110, An Act to amend the Employer Health Tax Act and the Workers' Compensation Act.

Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This is a five-minute bell.

*Interjections.*

**The Acting Speaker:** Order. The government House leader.

**Hon Brian A. Charlton (Government House Leader):** There is an agreement among the three House leaders to defer the vote until 5:45 on Monday, May 2.

**The Acting Speaker:** Is it agreed? Agreed.

COURTS OF JUSTICE STATUTE LAW  
AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT DES LOIS  
EN CE QUI CONCERNE  
LES TRIBUNAUX JUDICIAIRES

Resuming the adjourned debate on the motion for second reading of Bill 136, An Act to amend the Courts of Justice Act and to make related amendments to the Freedom of Information and Protection of Privacy Act and the Justices of the Peace Act / Projet de loi 136, Loi modifiant la Loi sur les tribunaux judiciaires et apportant des modifications corrélatives à la Loi sur l'accès à l'information et la protection de la vie privée et à la Loi sur les juges de paix.

**Mr David Tilson (Dufferin-Peel):** Bill 136 is an act to amend the Courts of Justice Act and has been spoken about by the Attorney General, who is in the House, and the critic for the Liberal Party and the critic for the Conservative Party, and I don't have a great deal to add to the discussions.

I think, generally speaking, the Attorney General needs to be congratulated for bringing this legislation forward. This legislation, as has been said, deals with a number of things, of which some things have been said and some things haven't, which I'd like to comment on this afternoon. It deals with the Unified Family Court, it deals with the judicial appointments, it deals with judicial discipline, and a number of other things.

I think this bill is useful because the people in this province are expecting more and more, not only from our judges but from our police, from our politicians. The whole issue of justice and community safety in Ontario is certainly one of the great issues that this government needs to deal with, and I congratulate, as I say, the Attorney General for bringing forward this bill which deals specifically with the judiciary.

We've had some difficult incidents in this province recently, and I think it would be inappropriate for me or anyone else to comment on those specific incidents. But they've been very difficult incidents and I think that judges, like all of us, need to be examined periodically. The judicial system needs to be examined periodically.

The whole issue of the independence of the judiciary needs to be looked at while we're getting into these issues, and I know that both of the previous speakers, the Liberal critic and the member for Willowdale, have spoken on that issue and I would like to add to that.

I hope that the Attorney General will also look at a number of issues outside this bill, albeit it deals specifically with the judiciary. We're into very difficult times. The whole issue of young offenders is being questioned by the public and, yes, that's a federal jurisdiction, but we've had incidents in Chatham, we've had incidents in dessert restaurants and young people shooting at people in Ottawa streets, tourists in Ottawa. We've had violence in the schools, we've had just awful crimes against women and young children in our society, so we need to look at everything. We need to look at the police system, we need to look at the judiciary, we need to look at the court system, and this is part of that puzzle.

I think the member for Willowdale has mentioned that the Progressive Conservative Party has prepared a document, which I'd like to give some plug to, Madam Speaker. Members from the House could rightly criticize me in that it doesn't deal specifically with this bill, but it does deal with the subject of justice, which is what this Bill 136 is trying to deal with.

It's a document which the Progressive Conservatives have called New Directions, Volume Three: A Blueprint for Justice and Community Safety in Ontario. I think that has been referred to by members in this House. It talks about young offenders, the whole issue of sentencing, is our system too soft? Court management is dealt with, the Martin report and a whole slew of other issues.

Perhaps that leads to the first item I'd like to speak to specifically dealing with Bill 136, and that has to do with the issue with respect to Small Claims Court and the use of deputy judges, which is dealt with in section 33 and those surrounding sections, I believe, with respect to the appointment of deputy judges or the composition of the Deputy Judges Council, the complaints against deputy judges, the investigation, disposition etc. There are a lot of sections which pretty well mirror the sections dealing with the Judicial Council for provincial judges.

One of the most important courts in our system is the Small Claims Court, which deals with monetary matters in which individuals can go to court and not use a lawyer, although I think the jurisdiction is now \$6,000 and certainly for the higher claims people do retain lawyers. During the Small Claims Court proceedings, generally speaking, deputy judges are used.

One of the complaints about this legislation, which I know has been drawn to the attention of the Attorney General with meetings by judicial people and members from the Advocates' Society, is on this issue. I'm reluctant to be too critical of the bill because I will be supporting the bill, but it's a practical issue with respect to

deputy judges, who are, as I say, generally lawyers who are hired or asked to appear and make decisions on matters in Small Claims Court. They're paid a nominal amount per day, \$230-some-odd dollars a day, to act as deputy judges. It's very difficult for many lawyers to do that, specifically in the communities where they have a law practice, and the whole issue of appearing independent.

The problem that has been drawn to my attention, and I know it has been drawn to the attention of the Attorney General, is the issue of the criticism that is being directed to deputy judges. With monetary claims of \$500 and under, there are no court reporters to deal with those claims, those actions that are brought in the Small Claims Court, nor are those matters appealable.

When someone loses their claim for \$500, one of the things that normally one would expect is that you could appeal. You don't like the decision. Perhaps they didn't like things that the judge said. Maybe the judge made an error. But under the system that we now have, as I understand it, those actions of monetary claims under \$500 cannot be appealed.

1620

Rightfully, no question, the competence of judges, whether it be a deputy or anyone making judicial decisions, needs to be looked at, but the difficulty is that many deputy judges look at this position as almost a community service. Certainly they're not doing it for the money. I suppose in many cases people ask, "Why are they doing it?" They're certainly not doing it for the monetary claim of some \$230.

The criticism that has been directed towards this bill is, will that discourage legal people with good experience acting in a judicial capacity from appearing as a judge in the Small Claims Court? Will they put themselves up to criticism that may not necessarily be valid, particularly with the problem we're in?

I can tell you that the prediction that's coming out is that people who, either as a plaintiff or as a defendant, may not have received a decision they liked and the claim is under \$500, they have no right of appeal, but the right they do have under Bill 136 is the right to make a complaint to the judge. Subsection 33(7) says, "Any person may make a complaint to the Deputy Judges Council alleging misconduct by a deputy judge."

Then it's referred to a subcommittee consisting of two judges of the General Division, one deputy judge and one person who is neither a judge nor a lawyer. It's not exactly the same, but it's a similar type of subcommittee that has dealt with the Judicial Council.

Then the subcommittee may investigate the complaint. I suppose the Attorney General could stand in her place and say, "If the claim is frivolous and they're just trying to get at the decision that was made—if the plaintiff or the defendant didn't like the decision, it's not really a shot at the judge, it's a shot at the decision that they just didn't like—those claims could be dismissed by this subcommittee."

Subsection (10) goes on, "The regional senior judge may dismiss the complaint, with or without a finding that

it is unfounded, or, if he or she concludes that the deputy judge's conduct presents grounds for imposing a sanction, may," and then there are a number of things that could be done. The judge can be warned, reprimanded etc and those are dealt with in a number of clauses. Then it goes down to a number of other things.

The practical matter of it is that people in the judicial system whom I have spoken to, and I know they've spoken to the Attorney General, are afraid that deputy judges will say: "Why bother? It's not paying me to do this. Why should I go through this grief which may not be warranted?"

People get very upset with decisions and they may have taken them very personally. They may have said that the judge is incompetent. They may say a whole slew of things. It may well be that those complaints are well founded. Hence it's difficult for me to criticize this section, because there's no question that there may be occasions when that situation is well founded.

Being a lawyer, although I haven't done litigation for many years—I'll make that clear. I have nothing to gain in this. I certainly haven't done litigation, and don't intend to, I might add. The difficulty is, why would lawyers bother doing this? Why would they put themselves up to this? This has been said by other members in the House and I know it has been said to the Attorney General privately.

I have no idea where this bill's going after this second reading, whether it's going to a committee or where it's going, but hopefully we can hear more about that dilemma. That's what I believe.

I understand what the Attorney General is doing, but I also am reasonably certain that you will have a shortfall in deputy judges. That to me leads to the conclusion that more judges at perhaps a higher rate of compensation may have to be paid. If you have a shortage of volunteers, you're going to have to pay people, because you have to make the Small Claims Court system work. I guess the issue I'm looking at is whether this is going to lead to other problems, in fact, shortage of judges.

Time is fast fleeing, but there are other issues that I would like to talk about. There's the performance evaluation, and that is dealt with in sections in the bill, which is by the Judicial Council. When you start talking about deciding the performance of judges—and we've seen some almost bizarre situations in our judicial system lately—deciding whether judges are acting appropriately, there's no question, and I'm saying this as a male, I suppose, that we need to be educated, we need to be continually educated on the way our society is going. I understand that and I support that.

The issue is politics interfering in what I believe should be an independent system, and this has been said. One of the issues—and I don't think I can find the section—has to do with how the Chief Judge may implement a performance evaluation of judges. That is an issue that we need to be very careful of. Again, I hope that this goes to a committee, that this topic will be dealt with as well, to assure the judicial system and to assure the public that when we start talking about the evaluation of judges, there is no political interference and the



independence of judges remains.

Certainly, the sensitivity courses, the legal education—everyone supports that. We all need to have continuing education. We all need to probably have sensitivity courses. I mean, I'd be the first to admit that, because we have seen in North America very bizarre cases made specifically by male judges. There's no question that those have been made. But it's a very dangerous area to get into. It needs to be looked at, but we need to be very careful when we get into that to ensure that the independence of the judiciary continues.

I don't intend to spend any more time on that issue, which is the performance evaluation process, other than to make that comment, that we need to be very careful in the process. I am concerned about the Chief Judge performing evaluations of judges. I'm concerned about that because that does get into one judge deciding what another judge is going to do or should do, for whatever reason. It's an area which I hope the Attorney General will spend some more time on, and perhaps we'll have more input from the judicial people and Advocates' Society and the bar association and others on that issue.

I know that the Advocates' Society made some representations a couple of years ago to the former Attorney General, Mr Hampton. Hopefully, the Advocates' Society and others will be given an opportunity to make more representations on these issues, because it is a specialized field and we need to rely on our judicial people and our legal people to properly advise the government as to dealing with the problem that needs to be addressed. I repeat, I congratulate her on that issue.

The issue with respect to the Family Court: Again, I don't speak as an expert on the topic of the Family Court, which has been successful in Hamilton, other than that there are a whole slew of support services that have operated in Hamilton that assist judicial decisions. I guess when you start talking about a unified court, whether or not the Attorney General needs to be more clear on that type of support system or, to use the words of the member for Willowdale, on the infrastructure of the operation of that system, I think more important is an issue that has been raised before and which I'd like to emphasize to the Attorney General. Now these provincial judges, being a unified court, will move to the General Division and essentially will be paid for by the federal government. That will free up a substantial amount of money. I guess it depends on how much money. I don't know what the facts are. I suspect it will free up a substantial amount of money, and one of the concerns of the judicial system and the legal system is money, just like it is for education and health and all kinds of things. I mean, we're short of money.

1630

If that is being done, if that interpretation is correct and there is going to be a substantial amount of money, in the millions, that is going to be freed up, then hopefully there would be some assurance from the Attorney General that this money won't simply go into the big pot, into the consolidated fund, but that it will be used for the court system.

If it's a saving in one thing, there are all kinds of other

things—and the member for Willowdale has spoken about the infrastructure and the Unified Family Court—that are needed in the Unified Family Court other than just decision-making. So that's enough on that topic. That is a point that has been made, but I wanted to emphasize that issue.

The appointment of judges, as dealt with—these are all matters that I think it's excellent to have codified. I think that's dealt with in section 42; it doesn't matter. But there's a section in the bill that deals with the appointment of judges.

I want to talk about an issue that I know the government gets very sensitive about, particularly the NDP government, and that is the whole issue with respect to employment equity. I cite, for example, when we had all the judges who were appointed as a result of the Askov decision, where there were a number of cases that were simply getting set aside by judges because it was taking too long to reach the courts. That was the leading decision, the start of that whole process. The then Attorney General appointed a whole slew of judges—I don't know how many, but a large number—to alleviate that situation. He had no choice, and that's what was done.

The concern I had, and I made a criticism of him then in his capacity as Attorney General and I make a criticism of him now, is that normally for the appointment of judges there are a number of requirements, and it's set forth in the bill. One is to have been practising law for a number of years. The then Attorney General made an invitation to ask lawyers to make an application as to whether or not they were interested in becoming provincial judges to alleviate this situation. To my knowledge from speaking to people in the legal community, that invitation went out only to women. Only to women. This is before employment equity, the last piece of legislation, was passed.

There's no question that the appointment of judges must reflect what is going on in the community, must reflect the people in the community, the people who live there, whether it's culture or otherwise: all of the principles of employment equity. But my concern is the issue of merit. It's this point that I know members of the government get very excited about whenever I speak about it. They say that the merit principle is there, but I can tell you that this whole issue, which even applies to the appointment of judges, gives me some concern. I hope that in the section dealing with the appointment of judges, the issue of merit will be emphasized over and above anything else, because it is important that we have not only an independent judicial system but a very qualified judicial system. I think that we do. At this particular point in time, speaking as someone who has worked in the judicial system, I think we have one of the best systems in North America, if not the world, as far as the quality of our judicial system is concerned. I hope that will continue.

There will be a great number of provincial court judges who will become section 96 judges, as the unified courts are expanded. Those judges, once they become section 96 judges, will be paid by the federal government. I think that's a saving of over \$100,000, \$120,000. I emphasize

that point as well, that that's a saving; it simply doesn't go to the court system.

There's another issue which I hope in due course—and I know I'm going beyond the bill but it's an opportunity for me to mention the efficiency of the judicial system. We're talking about the qualifications of judges and the ability of members of the public and members of the legal system to criticize people in the judicial community and we're talking about making the system run better, and that is the whole issue of legal aid.

My time has almost expired and I don't intend to proceed, but I believe that one of the reasons why our legal system has become rather bogged down at times, specifically in the area of matrimonial, which is what the Unified Family Court will be dealing with, is the subject of legal aid. There are a whole slew of people, and I make this as a broad statement albeit in my opinion, who should not be covered by legal aid.

People who have legal aid, in my observations, take advantage of the system. Again, I don't mean to criticize people who are on legal aid because there's a whole number of people who need legal assistance. It's very expensive. They need to be compensated for that. The difficulty is that someone—I'm just speaking as someone who has observed the system—who is on legal aid is not paying the bill and quite often decisions are not settled. They go on and they go on and they go on.

The opponent, who may be the husband, may be the wife, it doesn't really matter, on these matters involving family matters specifically, may not have legal aid and it puts that person to a disadvantage economically. So it's another issue that somewhere down the line I hope the Attorney General will deal with because I think that there's the issue of fairness on the topic of legal aid. There's the issue of congestion in the courts, because the people who are not paying the bills quite often are not afraid to proceed in sometimes very expensive proceedings against people who are paying the bills. That in turn, clogs the system.

I have really nothing further to say with respect to this bill other than the fact that I hope that somewhere down the line in one of the committee stages we will hear more from the Attorney General and her staff on some of these issues. I do invite, as a final plug—and I'm sure the Attorney General has looked at it, at some of the items that we deal with in our booklet on New Directions, specifically the sections on the Young Offenders Act, court management and other matters that indirectly affect this bill and other related matters.

1640

I thank you, Madam Speaker, for participating and I look forward to other members of this House debating this subject and I also look forward to the Attorney General or members of her staff clarifying many of the concerns that have been put forward and hopefully give an opportunity to people in the legal community and the judicial community and others who are directly or indirectly affected by the judicial system.

**The Acting Speaker (Ms Margaret H. Harrington):** Thank you to the member for Dufferin-Peel. Now we

have time for questions or comments. Are there any questions or comments to the member? If not, further debate.

**Mr David Winninger (London South):** I too am pleased to rise and speak in support of Bill 136. We've heard several members of the opposition, notably the member for Ottawa West, the member for Willowdale and now the member for Dufferin-Peel, speak in support in principle of Bill 136.

I think it's to the credit of the Attorney General and the process of consultation that went into these amendments to Bill 136 that people appear to be unanimous in their praise of Bill 136.

I myself am very impressed with some of the progressive amendments to the Courts of Justice Act embodied in Bill 136, but I'm also impressed with the extent of the consultation: consultation with the judiciary, consultation with the bar, consultation with consumers of legal/judicial services and finally, with the community at large.

If there's one thing I've learned in political office, it's that it's not enough to consult only with what are sometimes known as the stakeholder groups, but it's also important to listen to their concerns and reflect as best you can in your legislation or your amendments to existing legislation the kind of contributions you've heard from the stakeholders.

It seems to me that because of the breadth and depth of consultation that went, first, into the lead-up to Bill 68 and now into Bill 136 that replaces Bill 68, we've had an extremely full consultation. Although people never get everything they ask for in legislation, my experience with my constituents has been that as long as I as a politician make an honest effort to hear what they have to say and reflect as best I can the majoritarian viewpoint, people are relatively happy and accepting of the solutions and accommodations we're able to come up with.

Here, for example, in Bill 136 the Attorney General has wrought a very fine balance between the traditional judicial independence that is vouchsafed to our courts of law by the Constitution, but at the same time increasing the openness and accountability of the manner in which our judicial institutions operate. As the Attorney General herself observed in beginning this debate, what's resulted is a more open and fair process—by all accounts, I might add.

What I like in particular is the new look of the Judicial Council. Provincial court judges, who will be disciplined by the Ontario Judicial Council, will play a greater role because they will have more representatives on the council. At the same time, however, the accountability and accessibility the public demands will be reflected in additional public appointments who will enhance judicial accountability. Judges will still have the majority vote because the Chief Justice of Ontario can exercise his or her prerogative to cast an additional deciding vote in the event of a tie.

I think that's important, and it's important to the public to know that their courts and the bodies that regulate the affairs of the courts and justices and judges will remain autonomous and independent of the legislative and



executive functions of government. It's also important to note that the Chief Justice of Ontario will be the person who will preside at hearings.

The process for complaints from the public about the conduct or misconduct, as the case may be, of judges has also been vastly improved. In my constituency office, we do from time to time get calls of complaint about the conduct or misconduct of judges and justices, and I, like my colleagues in the House, have to make it quite clear, in fact crystal clear, to those who contact our office that we as politicians do not intervene, interfere or attempt to influence in any way the course of justice. It's not our position to comment on decisions that are made by judges or justices. So fortunately we have a complaints mechanism to the Judicial Council.

To some members of the lay public, this process is somewhat mysterious and arcane, and by some of the improvements being made in Bill 136 or in conjunction with Bill 136 we find that public accessibility to the Ontario Judicial Council is increased and improved. I note the Attorney General's comments in opening this debate, that we're looking at toll-free telephone access to the Judicial Council, that there could be assistance in drafting complaints to the Judicial Council, and finally, more public education on the function, role, structure and composition of the Judicial Council, which will remove some of that mystery, some of that sense of the arcane from these august proceedings.

It's also helpful to know that the Judicial Council will have a broader range of dispositions it can make in response to complaints about the conduct of our judiciary. As it stands right now, it's my understanding that a judge can be removed from the bench or a judge can continue to sit on a bench. By broadening the range and increasing the diversity of dispositions available, the Judicial Council, I would submit, can be more responsive to the nature of the complaint that's put to the council. For example, perhaps a reprimand or a warning is in order, rather than a complete removal of the judge or justice from the bench. As well, one might accentuate, as the Attorney General mentioned in her opening to this debate, measures for support for judges, and also preventive measures. Quite clearly, though, these are dispositions that lie within the Ontario Judicial Council to make.

I'm also impressed that some very proactive initiatives are contemplated under Bill 136. We've heard, from time to time, both from the judiciary and the bar and sometimes from the public, of the need for continuing education for the judiciary, and to the credit of the chief justices, considerable progress has already been made in the form of educational seminars to increase the gender and racial sensitivity of our judiciary. I see a lot of improvement in that direction.

As well, it's important that standards of conduct be established for the judiciary, and it's important that that role, that responsibility of establishing standards of conduct, is placed within the authority of the Chief Justice of Ontario, again to reinforce the judicial independence that is a hallmark of our justice system.

Performance evaluation: Like the establishment of standards of conduct, performance evaluation is a discre-

tionary provision under Bill 136 for the Chief Justice. It's important that there be some measures, some yardsticks, just as there are in other professions, but again, it's important that standards of conduct and performance evaluation lie within the domain of the Chief Justice of Ontario. This perhaps goes beyond the traditional role of the Chief Justice in terms of assigning judges to cases and determining case loads, but it's to the credit of the judiciary, who have been broadly consulted in this process, that they seem on the whole very supportive of these measures.

1650

I can indicate perhaps the most pleasure of all in the announcement within this legislation of an intent, on a phased basis, to expand the Unified Family Court of Ontario. For many years now, in fact since 1977, the Unified Family Court in Hamilton has functioned in an admirable way. Some of the leading matrimonial case law in this province has come out of that court, and over many years Mr Justice Steinberg has presided and created in that court a model for the rest of the province.

Before I was elected I practised for many years in London, Ontario. There we had very fine court services, but unlike the Unified Family Court, you certainly never enjoyed one-stop shopping. In fact, I can remember, before the earlier courts of justice amendments, that if one wanted speedy and urgent relief one would go to the provincial court (family division). If one had an issue around the division of property or exclusive possession of the matrimonial home, one would have to ascend to what was then known as the county court, or district court in the northern reaches of our province. But if one wanted a divorce, one would then have to ascend to the Supreme Court of Ontario.

Since the amendments to the Courts of Justice Act, which were enacted, as I recall, in 1990, one had one superior court where one could deal with issues of property and issues of divorce and in some cases custody and access.

The point I'm trying to make is this: With a Unified Family Court, one doesn't have to go to several courts to gain the relief one may urgently need. One doesn't have to go, as it stands right now, to the Ontario Court (Provincial Division), or the General Division, or, if one's dealing with matters involving young offenders—before I was elected, if one was representing a young offender, one had to go to yet another of two different courts. If your young offender happened to be under the age of 16 in London, one would go to the provincial court (family division), but if one's client were over the age of 16 and under the age of 18, one would have to go over to the other side of the courthouse, where the criminal division sat.

The beauty of having a Unified Family Court is that one has basically one-stop shopping. Now, I got a lot of exercise travelling from one court to another, but I can't imagine that this is an ideal way to streamline the course of justice or to gain those kinds of cost-efficiencies we need to achieve in the face of the very considerable pressures our court system faces today. So it makes perfect sense to roll those different judicial remedies into

the one court, a Unified Family Court, which under Bill 136 would be a separate division of the Ontario Court (General Division.)

I know that the bench and the bar and the community at large in London are very actively seeking to have a Unified Family Court in London. They make a very convincing case for that, given that we've had for many years some extraordinary support services for our courts.

We have a family court clinic in London which has played a very instrumental role in the manner in which cases involving young offenders and cases involving custody or access are dealt with. In fact we have a custody and access project as well. We have a very active family bar. For many years now, the services of the General Division and the Provincial Division in the area of family law are side by side.

There's a very good case to be made for having a Family Court in London. On the other hand, I know that consultations are ongoing between the province and the federal government in terms of judicial appointments because these appointments will, as the member for Dufferin-Peel observed, be federal appointments to the expanded Family Court. The number of judicial appointments, I expect, will undoubtedly influence the number and location of our expanded Unified Family Court system.

But all in all, I can say that the approach taken in Bill 136 is a very reasonable one. I think what we're going to see is some very active participation by the community resource committees that will advise government on the kind of resources each and every community may require. Some examples are supervised access or family mediation.

What I found over years of litigation in this particular area is that one can have orders from the courts on consent or as a result of a trial and a determination of the judge that can sometimes be very difficult to enforce without the appropriate kind of services in the community.

As well, I mentioned the custody and access project in London which has been flourishing for a long time and prepares expert assessments that judges use when they determine the very thorny and complex issues around custody and access. What mediation services can do is actually expedite the courts of justice and relieve some of the backlog in the courts. I think that's very important.

All in all, I see the expansion on a phased basis of the Unified Family Court as meeting a very timely need and being a very bold stride forward. I have asked on more than one occasion in the House in the past as to the status and ongoing negotiations on the matter of the Family Court. I'm pleased to see they've come to fruition.

Finally, I'd like to say a few words about the Small Claims Court. Other members in opposition have done so as well and the Attorney General adverted to the Small Claims Court in her introductory remarks. As you may know, Mr Speaker, under our current system outside Toronto, where we have a provincial court (civil division) and we have, in my recollection, several full-time Ontario court civil judges, who are akin to what's popularly

known as Small Claims Court judges. These judges function on a full-time salary basis because of the huge volume of cases that come through the Toronto courts. But outside Toronto there are several different arrangements.

The one I'm most familiar with in London is the appointment of what are called deputy judges. These deputy judges, usually full-time, practising lawyers, devote time away from their law practices to disposing of what is a very considerable volume of cases that come through our Small Claims Court. These lawyers are paid a per diem for doing it. It's been my experience in London that lawyers have never been too reluctant to take on this role because it certainly enhances their knowledge and experience and training to deal with their own private litigation matters.

1700

As well, in London, when the regular deputy Small Claims Court judges, these practising lawyers I mentioned who sit from week to week, are on vacation or unavailable, it's been the practice in the past—I don't know if it still is today—for the senior judge to ask other lawyers to come forward during the summer and perhaps sit for a day. It's been an understanding in the past that these lawyers would donate their per diems to charitable causes. I certainly would like to pay tribute to all of those lawyers over the years who have sat during the summer and donated their per diems to charitable causes. I think that's a very honourable tradition.

What we have on the whole is high-quality lawyers disposing of cases in the Small Claims Court in London and dispensing a very high standard of justice in a very cost-efficient way. There have been cases, I'm sure, where there have been complaints against deputy judges, just as there are against full-time members of the judiciary. But, unfortunately, there wasn't a formalized process for dealing with these complaints. What Bill 136 does as well is it provides a process for dealing with complaints and disciplining, if necessary, deputy judges in the Small Claims Court. It's done at the local level so it respects, if you will, the local concerns of the community.

Unlike certain members of the opposition who have said, "Perhaps we'll deter able and willing lawyers from acting as deputy court judges if we're going to have a discipline process," I would think that those lawyers I've observed in the past, sitting as Small Claims Court deputy judges, of sterling ability and high character, wouldn't be at all deterred in knowing that there's a formal complaint procedure and a formal process of discipline governing that.

Finally, the Judicial Appointments Advisory Committee: I'm pleased to see that enshrined in legislation. It has been operating very well over the last five years. I think that both the early appointments and the additional appointments motivated by the Askov decision pressures reflect a very progressive approach to the appointment of judges. I'm really quite pleased to hear from the members of the bench and bar I still speak with that they're dispensing a very high quality of justice and are very sensitive to community needs and aspirations.

I perhaps have to take issue with the member for



Willowdale, who said, and I quote him from Hansard, "I don't think it's an area where political correctness should lead the way." I don't see, as the member for Willowdale does, that there's going to be any sacrifice of merit or qualification, experience or integrity or compassion or wisdom simply because there may be perceived to be some measure of political correctness in the manner in which the Judicial Appointments Advisory Committee conducts its business.

What's important, I think, is that people of ability and skill and experience and integrity will continue to be appointed and that the Judicial Appointments Advisory Committee will govern its affairs at arm's length from the government. I think that's important to know and it's important to the public and to the respect of the public for the judicial system that there is a means of appointing judges, who wield considerable influence over the conduct of people's lives and can sometimes deprive them of their liberty, that judges are chosen based on their skill, experience, wisdom and integrity. I think the Judicial Appointments Advisory Committee goes a long way to removing the strong element of partisanship in the appointment of judges that may have held sway in the past.

On the whole, I see Bill 136 as being very timely, as being very progressive, and I'm looking forward to seeing Bill 136 implemented in the province of Ontario. In the meantime, I'm looking forward to the hearings at committee on Bill 136, which I'm confident will be quite fruitful and where we'll certainly hear more from the public, and perhaps the bench and bar, on this important piece of legislation.

**The Acting Speaker (Mr Noble Villeneuve):** Questions or comments.

**Mr David Turnbull (York Mills):** Mr Speaker, I would just point out that there isn't a quorum in the House.

**The Acting Speaker:** Could the clerk check to see if we have a quorum.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** Questions or comments.

**Mr Tim Murphy (St George-St David):** I appreciate the opportunity to comment on the remarks by the member for London South. I was interested to hear him talk about the extension of the Unified Family Court—I know it's currently only in Hamilton-Wentworth, as I know you know, Mr Speaker—and the proposals to extend it to a few other jurisdictions in the short term and more in the longer term, which will be unfortunate for those other jurisdictions that won't get it in the near future.

But as I was listening to the member for London South speak, and he's the member for London South and parliamentary assistant to the Attorney General, and I believe the Attorney General's riding is in London too, it just led me to ask the question about where one of those

early Unified Family Courts might be located—not that I would speculate.

I also wanted to comment on one remark he made about commenting on decisions made by judges and how it was not appropriate for legislators to do that. It leads to I guess a more philosophical discussion about the relationship between the judiciary and the Legislature, because one of the things I hear a lot about from my constituents is concerns about judges' decisions in criminal matters especially, and how they view sentences as inconsistent in certain circumstances and/or too lenient and how they get their view across to judges that that is the case and how we as legislators have a responsibility to balance the independence of the judiciary, and that is a valued thing in democracy, but also with the concern that the judiciary reflect what it is that the public is feeling in terms of sentences.

I think to say that the complaints procedure in this process deals with that doesn't address the issue at all. I think it's clear that it deals with another issue.

1710

**Hon Mike Farnan (Minister without Portfolio in Education and Training):** Just as a colleague of the member for London South, I wanted to rise to thank him for the splendid presentation he made surrounding this legislation, but it did strike me as incongruous that this is always a learning opportunity, not only for members of the government but for members of the opposition.

Then it was kind of ironic to have the member for York Mills, representing the Progressive Conservative Party, walk into the House—not one Conservative member present in the House for this very splendid presentation—ask for a quorum, disappear, and still there is not a Conservative member present in the House while this presentation was taking place. It strikes me that simply—

**Mr Larry O'Connor (Durham-York):** Here comes the noodle back. The noodle's back.

**Mr Turnbull:** On a point of order, Mr Speaker—

**Mr O'Connor:** Congratulations. He returned.

**Mr Turnbull:** —it is my understanding that it is not the practice of this House to mention when members are not present. I am present. I stepped out to do something in the lobby.

There is a very great shortage of NDP members present here in the House, and if he wants me to start listing their names I will, each and every day, because their attendance is appalling in this House. They should not be paid for—

*Interjections.*

**Mr Turnbull:** They're being paid and yet they're not attending.

**The Acting Speaker:** Order, please. Order.

**Hon Mr Farnan:** Obviously, my remarks caused some embarrassment for the member who called a quorum and disappeared from this House.

**The Acting Speaker:** Commenting on the member for London South's participation in the debate.

**Hon Mr Farnan:** Unlike the member for York Mills,

I can comment on it because I listened to it. The member was not present and I can tell him, because he wasn't here, that it was a splendid presentation.

**Mr Robert V. Callahan (Brampton South):** I'd like to rise and speak in favour of Unified Family Courts. Many of the statements that have been made by the member for London are accurate, that in fact people have to go from court to court in many instances, particularly if they're trying to seek custody very quickly. They may wind up going to the family court and then perhaps to the General Division.

One thing I would like to speak to, which is unfortunate that this bill doesn't address and I'm hopeful that the Attorney General will look at and address in future legislation, is the fact that the court system, both at the General Division and in the Provincial Division, is being blocked by the large amount of work that it's required to perform. I would suggest that resort—and I notice that there is some resort to alternative dispute resolution mechanism—is going to have to be something that the legislators of the day are going to have to deal with.

Our courts cannot possibly be required to meet the demands of the apparent litigious nature of our society, and in fact what's happening is as a result of the lack of resources—and that's not a criticism of this government or any other government; it's just a fact of life—is that people are required to wait serious periods of time to get justice.

This becomes a very volatile and very dangerous situation in matrimonial situations, because we've seen instances of serious violence over the years in terms of not just the people who are in the court but also the lawyers and the participants. If delays are experienced, the emotion becomes so high that the children are the people who suffer, and in fact there is the possibility of violence occurring because of it. So I would hope that we would see more advances in terms of alternative dispute resolution mechanism, because I think that's the wave of the future.

**The Acting Speaker:** We can accommodate one final participant. Seeing none, the honourable member for London South has two minutes in response.

**Mr Winninger:** Just to address the last comment from the member for Brampton South: First, we are, in government, actively exploring and advancing alternative dispute resolution. There are several projects on the go, both in the nature of mediation and arbitration, that I think offer great potential to achieve the kind of objective in expediting the course of justice that the member for Brampton South referred to.

As to the comments from the member for St George-St David, yes, I agree, there are sometimes inconsistencies in the way judicial sentencing is meted out. I think the federal Justice minister recently observed the same and commented that perhaps some guidelines would be useful, other than the current guidelines that govern sentencing, which tend to be deterrents, rehabilitation and retribution.

The member for Cambridge was acute, as usual, in his observations until he was interrupted by a point of order from the member for York Mills, who returns to this

House from time to time like the prodigal son.

**Mr Turnbull:** I have a better attendance than you. I've got better attendance than all your members put together.

**Mr Winninger:** The members opposite, other than the one who's stridently raising his voice at the moment, appreciate many of the progressive steps taken in Bill 136. Noteworthy, of course, is the expansion of the Unified Family Court on a phased basis.

**Mr Murphy:** I'm glad to have the opportunity to participate in this debate. I'm glad to see that the Attorney General has been here through the course of the debate, and I think that's to her credit. There has been an unfortunate tendency in this Legislature, and to a certain degree among this government, for the ministers who are shepherding bills through the Legislature not to be here.

The Attorney General, I think, has a specific obligation that rises above even other cabinet ministers' in terms of shepherding legislation through the House, in terms of keeping an eye on legislation, that is historically a different one. There is a non-political tradition to the role of the Attorney General, and it's one that it's important to remember.

It's good that the Attorney General is here to listen, because we're hearing not just about this particular bill, which has some creditable aspects to it. It builds on reforms that were commenced under the predecessor in the seat I'm now proud to represent, the great riding of St George-St David, Mr Ian Scott, who as Attorney General put in some of these measures which are now being formalized.

There are some few details I would like to comment on, and one of them is the question about judicial education and standards for judicial conduct and performance evaluations. In fact, I'm glad to see this in here. I know it was in the previous bill. I won't make comment on the particular discipline hearing, but there is a sensitive debate about the issue of discipline of judges, for example. We have a range of ages and experiences among judges and it's important for the standards to be made clear. The degree to which, for example, the private behaviour of judges should reflect on their performance of public duties is an important question, one that has come up, to a certain extent, in a recent discipline. It's important for those rules of conduct to be made clear to judges, both for the judges' purposes and for the purposes of the public at large and other participants in the justice system. Making the rules clear has a virtue for everyone.

I know the Chief Judge was given that role in this system. I'm saying, not so much to the Attorney General directly but through her, on behalf of the public, to the Chief Judge that I think there is virtue in that.

1720

The member for Willowdale, in his comments earlier—it may not have been about this bill—was talking about the role of the Chief Judge and the new powers this is going to give to the Chief Judge and the balance between the Chief Judge and the other judges in the system. I think there is a valid point made there. Whether or not that will be a real problem, I guess only time will tell.



It's something, though, that it's important the Attorney General and her very able deputy keep an eye on for future reform possibilities. There may be some tension there. I have, in conversations with individuals, who for obvious reasons will remain unnamed, picked up some of that tension already. But I'm not sure it's yet sufficient to cause public concern; it's more just a watchword to the wise.

I do want to talk about what's not covered by the bill. There are some good things in here and I think this will go through this assembly without much division, but it does provide an opportunity, it seems to me, to talk about some other issues, some that come from my experience as a lawyer. One of them is that we did have, as the member for London South mentioned, a move towards unifying the courts from the old hodgepodge of the district court and the county court to a more centralized system of justice, where you could get the same no matter where you were and you could go to one place and get access, depending on some jurisdictional issues related to the federal and provincial concerns.

But what we are seeing is a respecialization in the courts. I think about the commercial list, which has a virtue for those people who are conducting commercial litigation. You get very excellent judges who have a high degree of knowledge within those areas and a high degree of skill and familiarity. While that has a virtue, there is a degree to which that is taking away from the intent of the very reforms we had before. In other words, we're creating specialized panels. We may be doing something by accident which in fact we would want to do by design, but I think it's important that we have the debate about that and talk about that.

But I do want to say, while the Attorney General is here, that what is missing from this is a discussion that we need to have about the justice system on one of the things I hear most about, and that is the question of access to the justice system in general. That's a variety of things. One of the things that people say to me all the time is that it costs too much, it takes too long and, at the end of the day, you don't get justice.

The cost comes in two forms. Obviously, there's the cost of lawyers, but there's the cost of the process, the cost to the system itself. I won't reveal the parties, but not long before coming here I was involved in a very lengthy civil matter, a six-month-long civil matter between a number of parties that took up an immense amount of judicial resources, court reporters, the commissioners' time etc.

The question I had, thinking about it, was whether there is a sensible way to have litigants who can afford it contribute to the cost of using the system. This is my own idea I'm just floating at this point. I don't want to be in any way misleading as to that being a position. But it's an idea that came to me as I was going through that very trial, that there is an enormous cost to the system about resolving those disputes. There is obviously a virtue to resolving those disputes, but at the same time, we are finding more and more, in the civil justice system especially, that the time between the filing of pleadings and going to trial is lengthening, the cost in that interim

period is increasing and the length of trials themselves is increasing.

We have to find a way. Alternative dispute resolution is obviously one of them. I had expressed one concern about the current court-centred project. I have a concern about the confidentiality provisions related to how and when disputes get settled and who can have access to that. I think it is important for the public to have access to those records.

That being said, I think a measure that would allow or require, for example, the loser in a civil court case to pay some of the costs of using the court—I mean, after a certain threshold—may encourage settlement, first of all, and may encourage access to alternative dispute resolution mechanisms.

I put that out as an idea for the Attorney General. Whether it can work or not is subject to the debate and consideration of better minds than mine, but it's there for the offering.

I think too about the issue of speed of access. There is a real concern among the middle class on this. There is legal aid, which can resolve some of those who don't have the resources, although that is a separate problem in and of itself. People who have money can afford a lawyer, although that is expensive, but there is a broad middle group of people who, in a dispute of significant sums for them but not significant in the grander scheme, cannot get equitable resolution through the courts because it just costs too much.

The classic example is, if your roof repairer does not do the job well and there's a \$10,000 cost and you have to replace it completely, you go to a lawyer and the lawyer will say: "I can send a nasty letter, but if you want to sue, it's going to cost you too much. It'll cost you more than the \$10,000 to pay me and go through the process, even if you win." There's something wrong with a system that has that happen.

Part of the solution, it seems to me, is the jurisdiction of the Small Claims Court. Some of those steps have been taken. For example, I would argue that we should look to something like \$15,000 as a limit on Small Claims Court jurisdictions and enhancing the role of individuals with rules not unlike those we have now even, which effectively discourage participation of lawyers in that process but none the less allow a certain procedural justice to pertain to the process. That's one of the things I think we've got to look at. That isn't being dealt with now.

I know there is a civil justice review project under way. My concern is that is going to postpone looking at these effectively until after the next election. Either the current Attorney General or another member of her party or any of the other two will be left with that task, and in the interim the delays in the civil side of the process may increase.

I do want to talk briefly about legal aid. I think we are heading towards a crisis in legal aid. The Law Foundation of Ontario has traditionally funded it out of proceeds from trust accounts. That is becoming more and more problematic for the law foundation. It's costing more and

more and there's less to contribute. Lawyers are frustrated with the process. There's a slow, slow payment. In fact there's quite an arrears from the legal aid plan to lawyers across the province, which is of concern.

There is a debate we have to have at some point, whether it's at this point or later, about how we police legal aid certificates. It's a difficult issue, I agree entirely, because there is an independence we want to allow individuals to pursue claims, but by the same token there is a public desire, and an appropriate one, for accountability for tax dollars spent. It's not all public money, which is important to remember. Lawyers contribute through a reduction in their fees and through the law foundation and other sources, as well as the public purse, so there's a balance to be struck.

There are many times, and I won't point to specific examples, where delays were sought, many appearances, money was poured into lawsuits through the public purse that may or may not have been justified in a broader perspective, but the individual litigant might have thought so. How we strike that balance, how we make sure lawyers make responsible decisions in those cases, how individual clients and the public monitor that is an important debate to have, and I think this does not do it, unfortunately.

The role of paralegals in the system can be and should be another important debate. We haven't yet been having that one, whether paralegals can be part of the resolution of the cost of justice and the slowness of justice and whether they can play a role in the disputes of a lesser sum or of a more minor criminal nature, for example. We should be having that debate as well.

In terms of the cost of justice and access to lawyers, and I'm actually surprised that the Attorney General hasn't moved more on this, I think it's the CAW that had a legal service plan which was in essence a form of insurance through the participants in the Canadian Auto Workers, where they could pay a fixed sum and have access to lawyers for certain services. Those lawyers were put on a salary. Whether that is a model that can be used in some circumstances for cheaper access to justice is something I thought this government might have looked at and moved on.

1730

I also think one of the issues that this doesn't address is the question of diversity in the profession itself. Madam Justice Bertha Wilson wrote a lengthy report on the gender equality within the profession. I practised downtown Toronto, as they say, and one of the concerns I had was that, essentially, the practice of law has not a great amount of diversity at this point in time.

One of the things I'm working on, and in fact I've talked to the law society and I've talked to a number of law firms in the downtown area which have expressed an interest—and I'm glad to see the Attorney General here; she might be interested in this idea. One of the things we find is that some people in certain areas don't think that law's a career they can achieve, especially in some visible minority communities which are not adequately represented in the legal profession.

I would like to see a program that allows people in high school, the bright ones, the opportunity to go and spend some time in a law firm. In fact, I'm working with the law society and some law firms on that very plan. If the Attorney General would like to help me out in that plan, I'd be glad to have her assistance.

I'm concerned too about the family support plan. I know it was raised today in the Legislature, but my experience in my community office tells me that there is a great frustration with the failure of the family support plan out there, that there are incredible arrears, difficulty in collection. There's a problem that needs some kind of fixing. I'm not sure that what the leader of the third party recommended today is any kind of answer to that, but there is a concern there, and it's a valid concern. We need also to address that, and I'm not sure this is doing it.

You have to think about, if you look back on this government from the perspective of a pre-election mode, which we seem to be in more and more these days, what are the achievements of the government within the justice system? The list unfortunately is not very long.

Historically, when you look at the role of attorneys general, they have often been the leaders within governments. I think of Ian Scott and Roy McMurtry, Arthur Wishart, Fred Cass, who have all been strong proponents and advancers of the cause within their cabinets at the time.

I know this Attorney General is placed in a difficult role by not being a lawyer. I think she has done a creditable job in at least keeping out of trouble, and I'll give her that, at least relatively speaking. But I think the list of achievements in the justice system unfortunately is not very long, and that is an unfortunate thing.

I think also about what is not being dealt with within the justice system, and there, right now, we are in the course of a public concern about crime and safety in our communities. That, in the riding of St George-St David, is what I hear every day. I go and talk to my constituents and they're concerned about leaving their homes, concerned about walking in their neighbourhoods, concerned about not just random violence, which has been what has been in the press recently, but what they view and feel is a systematic increase in the amount of violence they are facing in their lives and in their community.

I've mentioned this before in this House and I will mention it again: In 51 Division, which is in the south end of my riding, between July and December of 1993 there were 460 weapons offences in that one division alone. I talked just today with one of the detective sergeants in that division, who said to me, for example, that for weapons offences, especially the guns, there is an almost 100% connection between gun offences and the drug trade involved at least in the crime in that division. I am concerned about that connection and what we can do about it. We need to have that debate and we need to have the opportunity to have that debate, and it's unfortunate.

I know my leader, Lyn McLeod, proposed to the Solicitor General that we have a committee to look into those concerns. We proposed what I thought was a very



reasonable list: crime prevention, what the real statistics were, gun control, community policing, and one other thing which slips my mind at the moment. There were five things, a very reasonable list, and the government has said that they don't want to have a couple of things on it because they might come up to criticisms.

For example, community policing. I know the Solicitor General has been saying, "We don't want to discuss that because, well, some people will come and talk about the social contract." I'm not sure that's a valid reason not to come and talk about it, because I know in my community, and I'm sure in the Attorney General's and every other member's in here, if you say, "Would you think it would be helpful to you to have more community-based policing, have foot patrols in your community?" they would all say yes.

It may not always be the most effective way to police in some communities, but it's valuable to have that debate. I think the committee could have had a role and it's unfortunate that the government and the third party are stalling on this. We had expected to be under way by now and we're not. I think that is problematic.

One of the things that recently we discussed—I believe it was in public accounts committee; it was actually the Solicitor General's ministry that came in, but it applies as well to the Attorney General's ministry—is the issue of how we judge whether our justice system is effective. It's a difficult question—more so in the civil context. Ultimately, the measure in a civil context must be public satisfaction, I suppose, but how you measure that is difficult. You can't, obviously, do it by the number of claims that result because you don't know how many claims don't come into the system because there isn't middle-class access to the justice system. Certainly, in the criminal justice system, one of the effective measures of whether it works has to be whether you are preventing crime from happening again by the operation of your system.

I was shocked to learn, as I'm sure most of the constituents in my riding would be, that the Solicitor General's ministry really had no idea that the recidivism rates, which are the number of people who return to prison having been there once or previously, had only recently started being collected and even those were not agreed to be a very effective judge of the system. There was no sense of what was going to work, what did work, what couldn't work.

We need to have a much more effective debate and much more effective policies about what we're going to do when the criminal justice system sends the message that crime won't pay, to use the old cliché and to figure out what is the balance between rehabilitation, deterrence, retribution even, as the member for London South, for example, referred to. Sentencing guidelines may very well be what we end up referring to. There is a real inconsistency, it strikes me, in the sentencing, even within this province.

The study came out, I believe it was, last fall, showing the pattern of sentencing across the country. There was a wide variation from province to province. I can't see how that contributes to a sense of confidence in the criminal

justice system especially. I think that while we have a tinkering in the system here with this bill, there are far more fundamental issues that need to be discussed that aren't being discussed in this bill.

I recently had the opportunity to be in France, of all places, and spend some time looking at the justice system there. Not a taxpayers' cent went to that, I want you to know, Mr Speaker. They had a couple of innovations which I thought might be worth considering here. One of them is that the operation of the correctional institutions was done as a private sector/public sector cooperative effort, which I thought was interesting. The guards were public sector and the security facets of the correctional institutions were public but, for example, the food services were provided by the private sector on a contract bid.

Some of the people who were incarcerated worked at various jobs within the jail learning skills, and those services were provided to private companies. That was, I think, an interesting innovation that has some virtue to be looked at here. Another innovation that I thought was interesting was with respect to what they call their youth court or equivalent. They have a slightly different system. They had a panel of three judges who made the decisions—but only one was actually a judge; two others were community members—about what would happen to their equivalent of young offenders.

I thought that was an interesting way to get the community involved because one thing I think is a problem in our system now is a sense of separation between the justice system and the community; a sense that the justice system, in the way it operates, is out there. It is a profession of high priests wearing funny black gowns, not unlike some worn in this chamber, for example, who are—not making any reference directly to the Speaker, of course. But it is that sense of a profession of high priests and it's over there with rules that are indecipherable and language that's not understandable.

1740

That is a problem I think we need to address: How can we get the community involved in the system? Because sometimes I think part of what are the views of how the system works are generated by mistaken impressions, by a false sense of what the real statistics are, sometimes which are generated by the way in which the media cover events and can whip stuff up. I think it's important that we be able to give the community a sense of what is really happening so they can make judgements based on what the concerns really are and how to fix them.

Again, I think that the committee that we had asked for, that I was hoping the government would have agreed to much earlier, might have been a way to do that. Unfortunately, that's being delayed.

One of the things that I found recently was a concern about what sentencing is being done in my community, in the riding of St George-St David, criminal activity that's occurring, unfortunately, in that community and what the sentencing is related to that. For people who are, for example, arrested for buying drugs and who incidentally are carrying a gun, but not using it, and the gun can be loaded, are only for a first offence getting 15

to 30 days. And yet, as I said earlier, in my community the connection between the use of guns and the drug trade is almost 100%. The police in my community are asking that we increase the sentences for those people who are carrying loaded weapons and that the courts ask for stiffer sentences, that we provide a guideline.

I think there's some very real logic in that because in the riding that I represent there are many people who come from elsewhere—80% to 85% of the criminal activity in that part of the riding comes from people who come from elsewhere, and the police in the community will tell you that; it's not people in the riding. The problem is, they are coming in, in some places, to buy drugs or, unfortunately, prostitution, but the drugs are the specific problem, and they are carrying weapons with them.

We are not sending a sufficiently strong message, it seems, that carrying of weapons in our society is something that we abhor. We've done that, for example, in drunk driving. We've done that statutorily by amending the Criminal Code federally to send a message that we will not accept drunk driving, and I think it was the Court of Appeal, I can't remember the decision, but it has accepted that message, has said that there is a societal abhorrence of it and sentences should reflect that abhorrence.

We need to do the same, it seems to me, in weapons, in two areas, not just in the ones connected with drugs. There is a significant number of weapons offences, for example, that relate to domestic occurrences, where a gun is either found in the house by a child or used by a spouse on another spouse, and that's a real concern. We need to send a message that if you have a gun while you are committing an offence, you are going to get a strong sentence.

Section 85 of the Criminal Code, as I know the Attorney General referred to a number of days ago on the question of plea bargaining, for example, has a one-year minimum. Generally that one-year minimum is all people get for the first offence, if they use the firearm in the commission of an offence. What the public may not know is that you don't get that one-year minimum, you can't be charged with that, unless you actually use it. So if you're carrying a loaded weapon, when, for example, you're arrested for dealing drugs but you have not used that weapon, you cannot be charged with that offence. That is why, even though they have a loaded weapon, they're only getting 15 to 30 days on a first offence. That's not a sufficiently strong message sent to those people that we do not accept it.

If there's a message I've been receiving loud and clear from the constituents of my riding, from the people at the Seaton-Ontario-Berkeley Residents Association, the Corktown Residents Association, North and South Regent Park, Moss Park, Carlton-Jarvis, Cabbagetown, it's that they're concerned about the role and extent of weapons in our society and that we need, as a society, especially through the criminal justice system, to send a message that that's not acceptable. I hope the Attorney General will find a way, through the Solicitor General and her government and others here, to send that message.

That raises the final point, which I referred to earlier, in the comments by the member for London South: how we as legislators relate to the judiciary in terms of being, not quite the ciphers, but the medium for that message, because it is clear there's a public concern. Judges can, and sometimes do, reflect public concern over certain criminal activity, but they have an independence at the same time, and are meant to have an independence, so they don't respond solely to the waves and recesses of public opinion but keep a steady eye on what's happening.

That being said, it is legitimate that judges do reflect in a broader sense what the public is concerned about. As I said earlier, they have done that in drunk driving. It is clear that there is a disgust, if I can use that strong a term, with the way the criminal justice system is dealing with certain individuals. People don't understand the inconsistency. It doesn't make sense and, frankly, I agree with them. It doesn't make sense when you can get seven years for a kidnapping but two years for killing someone. There isn't any logic to that. Sometimes it may be because of the circumstances and particulars related to the incident, but people don't understand that, and in a sense I represent that view and understand it.

I appreciate the opportunity to have expressed some of those views. I thank the Attorney General for being here and listening to the debate. I think that is a welcome thing and much to her credit, and I look forward to other participation.

**The Acting Speaker:** Questions or comments? The member for Etobicoke West.

*Failure of sound system.*

**Mr Alvin Curling (Scarborough North):** It's a sign. Your light is out.

**The Acting Speaker:** Do we have unanimous consent for the member to move over to where we can hear him?

**Interjection:** It's on now.

**The Acting Speaker:** Would the clerk please reset the clock.

**Mr Chris Stockwell (Etobicoke West):** The Attorney General has taken some time to listen to the judges in this province when working on this piece of legislation. The question that needs to be asked is, why is it we can't listen to the people when it comes to legislation in different forms? I speak directly about the victims bill of rights. Why is it that we can't be addressing that issue today? That's an urgent and pressing issue this Attorney General could bring legislation forward about.

Why can't we talk about the Young Offenders Act? We know this Attorney General went forward to a meeting with the ministers of other provinces, and although they want to talk a good game about the Young Offenders Act, the position she was bringing forward I doubt very much would be supported by the vast majority of people in this province. They're looking for a toughening of the Young Offenders Act, and I don't think that's what this Attorney General is looking for, even though you sometimes hear rhetoric that tries to pretend there's a toughening or a hardening of the position with respect to the Young Offenders Act.



Why can we not listen to the people when it comes to a number of issues regarding the judicial system and law and order in this province? If there's one part of this government that I believe has seriously let down the people of this province, it has to do with the Attorney General and the softening of the laws in this province that deal with criminals, or else the concern shown victims in this province. If we could debate this kind of legislation, it certainly would be worthy of this government to bring forward legislation to debate issues the people are talking about out there, which is not just this kind of legislation. It's legislation to get tough on criminals, to toughen up on crime, to talk about the Young Offenders Act, and that gets short shrift in this place because it's not part of the ideology.

1750

**The Acting Speaker:** Further questions or comments? Seeing none, the honourable member for St George-St David has two minutes in response.

**Mr Murphy:** Let me say only briefly that it is a rare day when I get a chance to agree twice with the member for Etobicoke West, but I do, I do.

**Interjection:** Maybe it's the water.

**Mr Murphy:** Maybe it is the water. But I think his point about the victims rights initiatives is a good one. I've sat on that committee for a very long time now, and we've been discussing that at interminable length without sufficient action, especially in one area where it could be an important initiative: the victims fine surcharge at a provincial level. We seem to have stalled on that, and that's unfortunate.

As I'm sure the Attorney General knows, the collection from the federal fines surcharge is down to effectively zero now because of their belief that there was not a directed fund. I know they have now directed a fund, but I don't think that's enough for judges to start going back to it in sufficient numbers. If we have the provincial victims fine surcharge together, if they're both directed, not only will we get judges doing it, but that'll give us something like \$10 million a year, if I remember her deputy's estimate, for victims in this province, for expansion of the victim/witness assistance program, for child victims, for closed-circuit television and other things in the courtroom that are much needed and unfortunately much ignored.

So I appreciate—this time, in any event—the timely intervention of the member for Etobicoke West and I now want to leave a few minutes to the member for Scarborough North for an excellent, informed and always entertaining submission.

**Mr Curling:** I really appreciate the opportunity to speak for a few minutes. I gather we have agreement that we move on from this bill to another phase after this, but for the few minutes I have I want to tell you how much I appreciate the opportunity to participate in this debate.

I too want to say how much I appreciate the fact that the Attorney General is here. It's not very often that you get a minister who listens right through the process, and she is very noted for that, for giving a good ear to the concerns.

As I look at this bill—and I'm no lawyer, and I try to look at it from the perspective of those who are the consumers. I would like to express my view today, when the emotion is so high about justice, whether or not we are properly served. My colleagues from the Conservatives will scream, why are we not debating this and debating that? You have to start somewhere. The fact is, I see you tried to get the house in order here, but I will just point out—and I didn't want to be too negative about this—an inconsistency I have seen.

In subsections 47(3) and (5), I think it is, it talks about considering judges after 65, that they could continue to serve us until age 75. It is rather ironic in a way. Of course I think people's ability continues beyond 65 and I'm sure they could serve the justice system very fairly in that respect. It's the same way with the controversy that went on about the court attendants who had reached age 65 and were to retire and be pushed out of that. It may be that the press did not express that properly, but my impression was that those people over 65 would have to go and all these court attendants would go. So I welcome the fact that we can still consider people beyond 65 to serve. As a matter of fact, it's much more demanding here than those court attendants would be.

My other concern I want to raise is about what has been happening in the last couple of months in terms of the safety of our community. Justice in our society must not only be done but be seen to be done. Quite a few things concern me. In a couple of incidents that have happened, there are victims and there are people we seem to blame for all the problems that are happening. There are many, many things that could cause us to have a high rate of crime.

First, the media actually tell us that the rate of crime has gone way up. In the meantime, other people are saying the crime rate has not gone up. I want to believe the crime rate has not gone up, but the fact is that the anxiety of people who are unemployed, people who have been victims of it and people who have access to the media are able to voice their concern, and I'm sure that one act of crime is insufficient. If we could really get a society where there would be no crime in our society—but as long as we have human beings, we will have some sort of infractions of the law, even some unfortunate situations that we see here, that horrendous crime that we saw at Just Desserts.

I want to say, though, in the sense if it is not reported properly and dealt with in a proper manner, how some people in society are being blamed for this. Some of the black communities today who felt—one lady called me today and she said, "How can I give back?" I asked her why she should feel responsible for this crime. She said, "Well, when I saw these pictures in the paper and saw that these blacks had committed it, I felt that everyone would be blaming us."

It's an awful situation and an awful burden to place on one community. I wanted to say that there are people in our community and in all communities, whether they are of age or colour or class or sex, that contribute positively to this society. Here we are now, completely moved, that's conditioned, into a situation where a society, the

black community, feel that they are responsible for all the crimes. People are very, very concerned.

I hope that we'll never come to the day when we will then start seeing where statistics will be drawn because of what country or what colour or whatever category you fall under, because I am scared that we may be using statistics somehow to prove certain theories that don't really exist.

I want to say in the very short time left that it is not even good enough to say we have one of the best justice systems in North America. We want to say that we have the best justice system. "One of the best" doesn't necessarily mean we have a good justice system. I want to believe that we have a system here that is good and can be improved, and you have tried to address many areas in here.

I want to make a quick comment, because of the time again, on a remark I heard from the Conservative Party when they spoke about employment equity. As soon as we want to put women or minorities who have the qualifications into a position, immediately we start talking about merit.

*Interjections.*

**The Acting Speaker:** Order. The member for Scarborough North has the floor.

**Mr Curling:** Then we start talking about merit.

*Interjections.*

**The Acting Speaker:** Order.

**Mr Curling:** Mr Speaker, I want to say to you that, like some of your colleagues here on the government side who are listening, if you were listening attentively, the point I'm trying to make is the exact point about whenever we get women or minorities—are you against women and minorities who have got merit in the system, like the Tories over here?

*Interjections.*

**The Acting Speaker:** Order. The honourable member, please address the Chair.

**Mr Curling:** I am addressing the Chair, Mr Speaker. I am saying that employment equity should be as such, as I've seen here, and I want to commend the Attorney General for stating it emphatically: Why are we concern

ing ourselves about merit? Every individual who will be inside this system of course will be judged by the system. There are lawyers who will be appointed as judges because they are qualified.

But the fact is, why ignore women, why ignore minorities? This question about merit that comes up all the time, comes up from the Tories here, annoys me. As a matter of fact, I hope that some of the members on the government side who are shouting above my level will realize that I believe in employment equity for all people with merit. The question itself should never exist.

I want to thank you, Mr Speaker, but my time has run out on this.

**The Acting Speaker:** It is now 6 o'clock. The honourable House leader will outline the activities of this chamber for next week.

#### BUSINESS OF THE HOUSE

**Hon Brian A. Charlton (Government House Leader):** Pursuant to standing order 55, I wish to indicate the business of the House for the coming week.

On Monday, May 2, we will continue second reading consideration of Bill 146, the corporations tax act.

On Tuesday, May 3, we will give committee of the whole consideration to Bill 120, the residents' rights bill.

I wish to inform the House that the House leaders of the three parties have agreed that private members' public business will be moved to Wednesday morning for next week. A motion to that effect will be moved on Monday next.

On Wednesday, May 4, during private members' public business, we will consider ballot item 53, second reading of Bill 152, standing in the name of Mr Phillips, and ballot item 54, a resolution standing in the name of Mr Hodgson. On Wednesday afternoon, we will continue second reading consideration of Bill 146, the corporations tax act.

On Thursday, May 5, at 4 pm, the Minister of Finance will table and address the 1994 Ontario budget.

**The Acting Speaker (Mr Noble Villeneuve):** It being 6 of the clock, this House stands adjourned until Monday, May 2, at 1:30.

The House adjourned at 1802.

#### ERRATUM

No.	Page	Column	Line	Should read:
120	5922	1	19	Just this week I was at the Robin Easey Centre in



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD  
Speaker/Président: Hon/L'hon David Warner  
Clerk/Greffier: Claude L. DesRosiers  
Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries  
Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller  
Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	<b>Wildman, Hon/L'hon Bud</b> (ND) Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones	Grey-Owen Sound	Murdoch, Bill (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph	Fletcher, Derek (ND)
Beaches-Woodbine	<b>Lankin, Hon/L'hon Frances</b> (ND) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce	Halton Centre/-Centre	Sullivan, Barbara (L)
Brampton North/-Nord	McClelland, Carman (L)	Halton North/-Nord	Duignan, Noel (ND)
Brampton South/-Sud	Callahan, Robert V. (L)	Hamilton Centre/-Centre	<b>Christopherson, Hon/ L'hon David</b> (ND) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Brant-Haldimand	Eddy, Ron (L)	Hamilton East/-Est	<b>Mackenzie, Hon/L'hon Bob</b> (ND) Minister of Labour / ministre du Travail
Brantford	<b>Ward, Hon/L'hon Brad</b> (ND) Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances	Hamilton Mountain	<b>Charlton, Hon/L'hon Brian A.</b> (ND) Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Bruce	Elston, Murray J. (L)	Hamilton West/-Ouest	<b>Allen, Hon/L'hon Richard</b> (ND) Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Burlington South/-Sud	Jackson, Cameron (PC)	Hastings-Peterborough	<b>Buchanan, Hon/L'hon Elmer</b> (ND) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Cambridge	<b>Farnan, Hon/L'hon Mike</b> (ND) Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation	High Park-Swansea	<b>Ziemba, Hon/L'hon Elaine</b> (ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Carleton	Sterling, Norman W. (PC)	Huron	Klopp, Paul (ND)
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Chatham-Kent	Hope, Randy R. (ND)	Kingston and The Islands / Kingston et Les îles	Wilson, Gary (ND)
Cochrane North/-Nord	Wood, Len (ND)	Kitchener	Ferguson, Will (Ind)
Cochrane South/-Sud	Bisson, Gilles (ND)	Kitchener-Wilmot	Cooper, Mike (ND)
Cornwall	Cleary, John C. (L)	Lake Nipigon/Lac-Nipigon	<b>Pouliot, Hon/L'hon Gilles</b> (ND) Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Don Mills	Johnson, David (PC)	Lambton	MacKinnon, Ellen (ND)
Dovercourt	<b>Silipo, Hon/L'hon Tony</b> (ND) Minister of Community and Social Services / ministre des Services sociaux et communautaires	Lanark-Renfrew	Jordan, Leo (PC)
Downsview	Perruzza, Anthony (ND)	Lawrence	Cordiano, Joseph (L)
Dufferin-Peel	Tilson, David (PC)	Leeds-Grenville	Runciman, Robert W. (PC)
Durham Centre/-Centre	White, Drummond (ND)	Lincoln	Hansen, Ron (ND)
Durham East/-Est	Mills, Gordon (ND)	London Centre/-Centre	<b>Boyd, Hon/L'hon Marion</b> (ND) Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Durham West/-Ouest	Wiseman, Jim (ND)	London North/-Nord	Cunningham, Dianne (PC)
Durham-York	O'Connor, Larry (ND)	London South/-Sud	Winninger, David (ND)
Eglinton	Poole, Dianne (L)	Markham	Cousens, W. Donald (PC)
Elgin	North, Peter (Ind)	Middlesex	Mathysen, Irene (ND)
Essex-Kent	Hayes, Pat (ND)	Mississauga East/-Est	Sola, John (Ind)
Essex South/-Sud	Crozier, Bruce (L)	Mississauga North/-Nord	Offer, Steven (L)
Etobicoke-Humber	Henderson, D. James (L)	Mississauga South/-Sud	Marland, Margaret (PC)
Etobicoke-Lakeshore	<b>Grier, Hon/L'hon Ruth</b> (ND) Minister of Health / ministre de la Santé		
Etobicoke-Rexdale	<b>Philip, Hon/L'hon Ed</b> (ND) Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto		
Etobicoke West/-Ouest	Stockwell, Chris (PC)		
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition		
Fort York	Marchese, Rosario (ND)		
Frontenac-Addington	<b>Wilson, Hon/L'hon Fred</b> (ND) Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West/-Ouest	Mahoney, Steven W. (L)	St Andrew-St Patrick	Akande, Zanana L. (ND)
Muskoka-Georgian Bay	Waters, Daniel (ND)	St Catharines	Bradley, James J. (L)
Nepean	Daigeler, Hans (L)	St Catharines-Brock	Haeck, Christel (ND)
Niagara Falls	Harrington, Margaret H. (ND)	St George-St David	Murphy, Tim (L)
Niagara South/-Sud	<b>Coppen, Hon/L'hon Shirley</b> (ND) Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs	Sarnia	Huget, Bob (ND)
		Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)
Nickel Belt	<b>Laughren, Hon/L'hon Floyd</b> (ND) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Scarborough-Agincourt	Phillips, Gerry (L)
Nipissing	Harris, Michael D. (PC)	Scarborough Centre/-Centre	Owens, Stephen (ND)
Norfolk	Jamison, Norm (ND)	Scarborough East/-Est	Frankford, Robert (ND)
Northumberland	Fawcett, Joan M. (L)	Scarborough-Ellesmere	<b>Warner, Hon/L'hon David</b> (ND) Speaker / Président
Oakville South/-Sud	Carr, Gary (PC)		Curling, Alvin (L)
Oakwood	Rizzo, Tony (ND)	Scarborough North/-Nord	<b>Swarbrick, Hon/L'hon Anne</b> (ND) Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Oriole	Caplan, Elinor (L)	Scarborough West/-Ouest	Wessenger, Paul (ND)
Oshawa	<b>Pilkey, Hon/L'hon Allan</b> (ND) Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales	Simcoe Centre/-Centre	McLean, Allan K. (PC)
Ottawa Centre/-Centre	<b>Gigantes, Hon/L'hon Evelyn</b> (ND) Minister of Housing / ministre du Logement	Simcoe East/-Est	Wilson, Jim (PC)
Ottawa East/-Est	Grandmaître, Bernard (L)	Simcoe West/-Ouest	Murdock, Sharon (ND)
Ottawa-Rideau	O'Neill, Yvonne (L)	Sudbury	<b>Martel, Hon/L'hon Shelley</b> (ND) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa South/-Sud	McGuinty, Dalton (L)	Sudbury East/-Est	Ramsay, David (L)
Ottawa West/-Ouest	Chiarelli, Robert (L)		Hodgson, Chris (PC)
Oxford	Sutherland, Kimble (ND)	Timiskaming	Witmer, Elizabeth (PC)
Parkdale	Ruprecht, Tony (L)	Victoria-Haliburton	Kormos, Peter (ND)
Parry Sound	Eves, Ernie L. (PC)	Waterloo North/-Nord	Arnott, Ted (PC)
Perth	Haslam, Karen (ND)	Welland-Thorold	Morrow, Mark (ND)
Peterborough	Carter, Jenny (ND)	Wellington	Abel, Donald (ND)
Port Arthur	<b>Wark-Martyn, Hon/L'hon Shelley</b> (ND) Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé	Wentworth East/-Est	Harnick, Charles (PC)
	Poirier, Jean (L)	Wentworth North/-Nord	Kwinter, Monte (L)
Prescott and Russell / Prescott et Russell		Willowdale	<b>Cooke, Hon/L'hon David S.</b> (ND) Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'oeuvre
Prince Edward-Lennox-South Hastings/ Prince Edward-Lennox-Hastings-Sud	Johnson, Paul R. (ND)	Wilson Heights	Dadam, George (ND)
Quinte	O'Neil, Hugh (L)	Windsor-Riverside	Lessard, Wayne (ND)
Rainy River	<b>Hampton, Hon/L'hon Howard</b> (ND) Minister of Natural Resources / ministre des Richesses naturelles	Windsor-Sandwich	Sorbara, Gregory S. (L)
		Windsor-Walkerville	Malkowski, Gary (ND)
Renfrew North/-Nord	Conway, Sean G. (L)	York Centre/-Centre	Turnbull, David (PC)
Riverdale	<b>Churley, Hon/L'hon Marilyn</b> (ND) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	York East/-Est	Beer, Charles (L)
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Noble (PC)	York Mills	<b>Rae, Hon/L'hon Bob</b> (ND) Premier, President of the Executive Council, Minister of Inter-governmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
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		York South/-Sud	
		Yorkview	



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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Monday 2 May 1994

# Journal des débats (Hansard)

Lundi 2 mai 1994



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers

*50th anniversary*

*1944–1994*

*50<sup>e</sup> anniversaire*

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 2 May 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 2 mai 1994

The House met at 1332.

Prayers.

## MEMBERS' STATEMENTS

### LESTER B. PEARSON COLLEGIATE INSTITUTE

**Mr Alvin Curling (Scarborough North):** Just recently, on Friday, April 29, I visited a wonderful school, Lester B. Pearson Collegiate Institute. I spoke there on the matter of citizenship and family. I met some wonderful people there, as a matter of fact: the president of the student council, a very intelligent young lady named Stacey Ann Wilson, together with her principal, Ms Vera Taylor, and their guidance head, Grant Williams.

I left there feeling very confident about my country and my constituency because these young people look to the future and feel confident that they will participate. They were concerned, after finishing their education, whether or not they would have a job ready for them. I have reassured them, and they fully agreed, that their education is one of the main tools and skills which they would have in the future, to have a wonderful education.

I want to tell you, Mr Speaker, and my colleagues here in the House that the people of Scarborough North and Ontario should be very, very proud of those students at Lester B. Pearson Collegiate, and to share with you that one of these days one or two of them will be sitting right here, maybe in the same position I am or maybe in your seat, Mr Speaker.

### STORMONT AGRICULTURAL OFFICE

**Mr Noble Villeneuve (S-D-G & East Grenville):** This Friday the rural community in Stormont county will celebrate the 50th anniversary of our Stormont agricultural office.

Agricultural offices have played a crucial role in communicating new developments and techniques as well as government programs to the farming and rural community of Ontario.

The Stormont ag office opened its doors in Cornwall in 1944, during a time which saw significant change in agriculture. Right from the start Stormont's first ag rep, the late A.M. Barr, identified soils, crops, livestock and rural young people as his major organizational priorities. In fact that same focus was there years later when, at the tender age of 13, I personally became involved with the Sandringham 4-H calf club while Ron Crozier was our ag rep.

Stormont's ag reps have always provided needed leadership and advice: the late A.M. Barr from 1944 to 1947; Ken Lantz from 1948 to 1951. Ron Crozier filled the job from 1952 to 1956, followed by the late Ken Best from 1957 to 1966.

Our current ag rep, Dale Miller, has certainly earned

his place in Stormont county's agricultural history. He has witnessed among other things the move of the ag office from Cornwall to Avonmore, the centre of Stormont county's farming community. Ag Minister Jack Riddell opened the new office after the move had been announced by a previous government. In fact moving the office was one of the top issues in the by-election where I came to this chamber.

I want to invite all colleagues, especially the Minister of Agriculture, Food and Rural Affairs, to visit Stormont county during this our 50th anniversary.

## ENVIRONMENTAL EVENTS

**Mrs Karen Haslam (Perth):** In the year 1852 Chief Seathl, a tribal nobleman native to the Pacific Northwest, shared the following thoughts with the white men who were attempting to buy his ancestral lands:

"This we know. The Earth does not belong to man; man belongs to the Earth. This we know. All things are connected like the blood which unites one family. All things are connected. Whatever befalls the Earth befalls the son of the Earth. Man did not weave the web of life, he is merely a strand in it. Whatever he does to the web, he does to himself."

These words formed part of the homily on Sunday in my church delivered by Mr Ted Blowes, chair of the Stratford civic beautification committee. There were many other environmental events this weekend in Stratford as part of a week-long celebration put on by the committee.

Howard Hampton, Minister of Natural Resources, visited with students of Hamlet Elementary School and the seniors of Cedarcroft to plant a tree in their inter-generational garden. He then made a slide presentation to Stratford Northwestern high school students about the new Keep It Wild campaign, extolling the virtues of our many natural wild places and the necessity of preserving them for future generations.

Irene Mathyssen, parliamentary assistant to the Minister of Environment and Energy, joined me for lunch with public school students and the members of the parks board. We heard about the many species of animals that will soon be extinct if we don't do something about our treatment of this planet. Then together we planted a tree in Stratford's Queen's Park.

As part of his sermon, Mr Blowes reminded us of the power of one to make changes and to make a difference. Part of the Earth Day creed reads, "I will no longer rely on others to take care of things and offer my individual commitment to help correct the imbalance in every way I can." We must never underestimate the power of one.

## CLOSING OF CAMPGROUNDS

**Mr John C. Cleary (Cornwall):** I have a letter here

from the Cornwall and District Labour Council addressed to the Honourable Bob Rae, Premier of the province of Ontario:

"Dear Mr Rae:

"The following is a resolution passed by the council at the March 10 general meeting:

"Whereas the city of Cornwall"—and our area—"is experiencing a difficult business downturn; and

"Whereas there is 40% of the population receiving some form of social assistance; and

"Whereas available jobs have hundreds of applicants lined up in the cold waiting for interviews; and

"Whereas all jobs are at a premium everywhere in eastern Ontario;

1340

"Therefore, be it resolved that the government of Ontario reopen in its entirety the provincial parks system in this region, which will spin off into more tourists, more spending and more jobs.

"We would appreciate your immediate attention to this resolution as timeliness is the important factor in this matter."

It's signed by the Cornwall and District Labour Council members.

Minister, it is very clear that you are the only block to reopening the parks. I join the Cornwall and District Labour Council in demanding that you take all necessary steps to reopen the parks now to allow job opportunity to our unemployed and employment opportunity for our students for this coming summer.

#### EDUCATION AND TRAINING WEEK

**Mrs Dianne Cunningham (London North):** It's Education and Training Week in Ontario, "With the Future in Mind." It's an opportunity for schools across the province to showcase their accomplishments in their communities. Schools will have special events and open houses for parents and the community to watch children at work in the classroom.

It's an opportunity for everyone to visit their community schools and to offer encouragement as they provide our students with quality education. Accountability is extremely important. Visit your schools and see at first hand the kind of education our students are receiving.

Congratulations to our educators. There are many examples in London of what's happening during this special week.

Arthur Ford Elementary School is hosting a Violence Awareness Week, including classes working on aspects of peacekeeping, positive solutions to problems and cooperative team games. The hallways will be lined with paper footposts with positive messages.

Westmount Elementary School will display the artwork of primary students, Invention Convention and environmental work. They will also have two open houses.

Nicholas Wilson Elementary School will host a school-wide poster contest, parent computer workshops will be run by students, they will have a special music concert and will host a Preparing for the Future students workshop.

Holy Cross Elementary School will have an open house every day for classroom visits by parents. They will have a police department presentation on violence, a nature walk in Silverwood park and amphibians and reptiles project presentations.

St Jude Elementary School will host many festivals of mathematics challenges. The primary classes will make presentations on reptiles and there will be a garbageless challenge assembly for the junior division.

There's lots happening, and I hope all of us take advantage of Education and Training Week in Ontario.

#### ELIZABETH FRY SOCIETY

**Mr Gordon Mills (Durham East):** This is Elizabeth Fry Week in Canada, and I would invite all members to join with me in recognizing the important role played by Elizabeth Fry societies across Ontario in assisting women in conflict with the law.

Elizabeth Fry campaigned for better treatment of women in British prisons in the early 19th century. Her work has been carried on by the Elizabeth Fry Society chapters across Canada.

Here in Ontario, volunteers and staff of eight chapters provide counselling, education and support to women and girls who have been admitted to correctional institutions. Elizabeth Fry chapters also deliver a wide variety of community programs on behalf of the Ministry of the Solicitor General and Correctional Services. Chapters are represented provincially by the Council of Elizabeth Fry Societies of Ontario, based here in Toronto.

The Elizabeth Fry movement has played a key role in drawing attention to the circumstances that commonly lead women into conflict with the law and the special needs women face emerging from the criminal justice system, with the goal of preventing crime by assisting women to become productive members of society.

This week there are events taking place in many communities to recognize the important work done by the Elizabeth Fry societies in Ontario, with a special emphasis on mothers and children. I would encourage all members and their constituents to support the Elizabeth Fry Society in its important work with women in conflict with the law.

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr James J. Bradley (St Catharines):** On Thursday, April 28, members of the Legislative Assembly paused for a moment to remember those who have lost their lives in the workplace.

Across the province, people gathered in various locations, such as the Niagara Peninsula, in a similar expression of sympathy as part of the national day of mourning to remember those who have died on the job.

As we in the Legislature were remembering those who have lost their lives in job-related accidents, a ceremony was being held beneath the Garden City Skyway marking the passing of four workers who died at the site beneath the Skyway in an industrial accident, with Julie Davis of the Ontario Federation of Labour in attendance at that ceremony.

The day of mourning reminds us that we must all



strive to make the workplace safe for workers across our land. It is in the interest of labour, management and society as a whole that every possible precaution be taken to avoid injury and death where individuals gather to work. Over the years progress has been made, but none of us will be satisfied until there are no more deaths on the job.

To the family, friends and co-workers, the day of mourning in Port Colborne or Pembroke, in St Catharines or Sault Ste Marie demonstrates that we have not forgotten and that we will continue to work for the goal of zero tolerance of workplace deaths.

#### PLANT CLOSURE

**Mr Allan K. McLean (Simcoe East):** My statement is for the Minister of Economic Development and Trade. She's not here today but the Premier is, and I wish he would pay attention to my statement.

On April 29 TRW Vehicle Safety Systems Ltd announced the closure of its Penetanguishene assembly plant effective August 12. The closure of this assembly plant will result in the layoff of 270 employees.

TRW is a business unit of TRW Inc of Cleveland, Ohio. The company produces seatbelts and air bags for the automotive industry. There are three TRW operations in the Penetanguishene-Midland area: two stamping and metal-finishing plants in Midland employing 300, and a seatbelt assembly plant in Penetanguishene employing 290, of which only 20 will be offered jobs at the Midland plant.

TRW officials have indicated the free trade and the North American free trade agreements were not factors in the decision to close the Penetanguishene assembly plant.

Premier, I talked with Mayor Klug of Penetanguishene over the weekend and we agree that you should direct members of your ministry staff to attend an emergency meeting planned for Wednesday to look at modifying and upgrading the TRW plant, securing a new owner and, most importantly, saving the jobs.

The announced closure of the TRW plant has created a great deal of uncertainty to a very, very dedicated group of employees and their families. Premier, I urge you to act now because 270 of my constituents face the bleak prospect of joining the unemployment lines in this province and we don't want that to happen.

#### TEACHER INTERNSHIP

**Mr Gary Wilson (Kingston and The Islands):** I would like to bring to the attention of the House an exemplary teacher internship project in the Kingston area that has been chosen for provincial funding.

Under the Ministry of Education and Training's education-work connections initiative, a cooperative partnership in Kingston called Future Dimensions in Teacher Internship has received a grant of \$49,500.

In today's economy our students need relevant work experience and practical employment skills to get and keep good jobs. Future Dimensions in Teacher Internship is a way of bringing these essentials into the classroom by providing teachers with direct experience in the workplaces for which their students are preparing.

This project is a cooperative program of the Frontenac County Board of Education, the Frontenac-Lennox and Addington County Roman Catholic School Board and the Kingston Area School to Employment Council.

Recently I had the pleasure of interviewing on Cable-net 13 representatives of the three partners which are setting up the program: Laurie Preston, management of the public board's School of Continuing and Community Education, Mary Carroll, coordinator of the separate board's Loyola Community Learning Centre, and Mary Gayle Dillon, managing director of the Kingston Area School to Employment Council. The expertise and commitment these individuals bring to their job promises the teacher internship program will be very successful.

The Kingston project and seven other demonstration projects selected for the education-work connections assistance involve a shared commitment from the province, school boards, teachers, employers and local community groups. This is an excellent example of collaboration at the local level that will benefit us all, both in Kingston and across the province.

#### VISITOR

**The Speaker (Hon David Warner):** I invite all members to join me in welcoming to our chamber this afternoon, seated in the members' gallery west, the former member for Sudbury, Mr Jim Gordon.

1350

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### SEXUAL ASSAULT

**Hon Marion Boyd (Minister Responsible for Women's Issues):** I am rising this afternoon to remind this House that May is Sexual Assault Prevention Month in Ontario. This campaign to increase public awareness of sexual violence against women comes at a time when there is much talk about the level of violence in our society.

People more than ever are looking for answers. We are trying to trace the roots of violence. We are doing our best to understand why our society appears to be becoming more violent. People everywhere are pointing to the violence in our schools as evidence of something going terribly wrong.

A frightening amount of gender-based violence goes on in our school system—acts of violence both physical and verbal—which are directed specifically at girls and young women. These acts are the first expression of the attitudes that cause boys to grow into men who are violent or harassing towards women.

So in this Sexual Assault Prevention Month, we draw your attention not only to the sexual violence and harassment to which men subject women but also that to which boys subject girls. And we seek to highlight behaviour that often doesn't get acknowledged or recognized as the violence it is.

I would like to say a few words about the kind of harassing behaviour towards girls that boys display early on and about the way that we as parents or as teachers or as principals respond to that behaviour.

As early as elementary school and junior high, it is

routine for boys to lift girls' skirts, snap their bras, grab their breasts, humiliate them by rating them on a scale of one to 10 as they walk down the corridor. Girls who are seen as different because of their racial or ethnic background, because of a physical disfigurement or because of the food they eat or the clothes they wear are doubly harassed, first because of their gender, and second, because of whatever it is that makes them appear different.

Teachers and parents alike tend to downplay this behaviour and treat it as far less serious than it actually is. Anyone who questions or criticizes this behaviour is accused of making mountains out of molehills. We are told that it's all in fun or that the boys are just kidding. Any girl who has experienced this kind of behaviour will tell you in no uncertain terms that there is nothing funny about it.

Research indicates that it is commonplace for boys to traumatize girls with vulgarities which I would never think of repeating in this Legislature. This language, which slips all too easily into threats of sexual assault, threats which are far too often carried out, is commonplace. Too often the response to this kind of behaviour is, "Boys will be boys." Two things about violence we know for certain: Violence always escalates, and what children learn and are allowed to get away with in their youth they are likely to repeat in adulthood.

A recent study by the Canadian Committee on Violence Against Women found that one in five Canadian girls under the age of 18 has been abused by a boyfriend. Clearly, we are facing a serious problem.

By the time today's children reach adulthood, it will be too late to do much to reduce sexual violence within the next generation. We don't have much hope that our daughters and our granddaughters will suffer less harassment and violence than any of the women who have come before them if we don't take two important steps. The first step is that we actively challenge the belief that girls are inferior to boys. The second is that we stop regarding violent male behaviour as normal and acceptable.

The government continues its efforts to raise awareness about sexual assault during Sexual Assault Prevention Month and throughout the year.

Earlier today I announced, on behalf of the Minister of Health, \$415,000 in grants to health care professionals, to teach them how to recognize and respond to women and girls who have been physically and sexually assaulted. This is but one of the programs in our government's interministerial strategy to address violence against women. Others include the victim/witness assistance program, the funding of sexual assault centres and the awarding of grants to community groups for local public education projects.

The Ministry of Education and Training is an active partner in our government's strategy to address sexual harassment. Over 150 English- and French-language school boards are working on this issue, and the ministry, the Ontario Secondary School Teachers' Federation and the Ontario women's directorate are collaborating on a student-to-student sexual harassment study. These initiat-

ives, together with the Ontario-wide consultation on violence in the school system, are helping schools, parents and communities to identify and deal with sexual harassment and assault.

If we as a community are truly to make a difference in reducing the incidence of sexual assault and other violence against women, we must begin in our homes, in our schools, in our day care centres and in our nurseries. We must recognize sexual assault and harassment in all its forms and at its earliest stages, and we must begin to communicate clearly that this behaviour is wrong. We, as a community, are responsible for beginning the process of change.

**The Speaker (Hon David Warner):** Responses?

**Ms Dianne Poole (Eglinton):** On behalf of the Liberal caucus I would like to add my voice of support for the minister's campaign during Sexual Assault Prevention Month.

There is a brochure called Sexual Assault which has been put out by the Ontario women's directorate, and I would just like to read a couple of the opening statements.

"One in four Canadian women is sexually assaulted. Most women live with the fear of being sexually assaulted.

"People don't like to talk about it, but as a community we should all be concerned. No one should have to live in fear."

Surely the people of this House do believe those words, but there are those who have attacked the reliability of studies on the extent of violence against women, attacks by people who don't believe and don't wish to believe that violence is that endemic and that widespread.

There are those who challenge the fact that sexual assault is occurring so often in the lives of women in Canada. However, a Statistics Canada survey from last year revealed that more than half of all Canadian women have been physically or sexually assaulted at least once in their adult lives. In hard numbers, that means that more than five million adult Canadian women have been assaulted. Statscan is noted for both its reliability and its accurate methodology. Surely the naysayers will now have to admit that we have a serious problem.

As the minister has stated, this is the sixth Sexual Assault Prevention Month, first initiated by the Liberal government in 1989 and continued as a priority by this government. I think it particularly fitting that this is both Education Week and the beginning of this campaign to educate people, particularly our young people, that sexual assault is never acceptable. Because education is what it's all about: changing attitudes and, hopefully, changing behaviour.

Two years ago during Sexual Assault Prevention Month, I was at Northern Secondary School when the minister introduced a radio and television campaign targeting young people. It was interesting to hear the comments of the students after the presentation. It was obvious that the young people had undergone a tremendous sensitization about violence during recent years.

I was encouraged. As both the young men and the



young women involved spoke out, it was clear that they understood the issue so well and were responding to it very positively. They clearly understood the key messages: that any unwanted act of a sexual nature is sexual assault; that sex without consent is sexual assault; and that women always have the right to say no and that men need to understand and respect that right.

One thing I want my 16-year-old daughter to understand is that young women have a right to say no and not feel guilty. At the same time, I want my 18-year-old son to understand that young men have an obligation to listen—to really listen—to what women are telling them.

The minister has made the statement that sexually assaultive behaviour does not spring up out of nowhere, that it is the result of years of practice in the school yard and the classroom. I believe it is very important that as we raise our young sons, we teach them respect for other people, regardless of age or gender. Harassment of the type described by the minister is unacceptable at any age. If children learn something is acceptable when they are young, then surely this is influential in determining what they believe is acceptable throughout their lifetime. If we don't curb children's unacceptable behaviour now, we will indeed pay the price later.

One of the very encouraging factors in combating the myths surrounding sexual assault is that the members of this House treat it as a serious problem and in a non-partisan way. I think this is vitally important, that we in this House set the standard and work together to make a difference. We are, as the minister said, a community, and if we take the attitude, if we help to change behaviours by our words and our actions in this Legislature, then I think it's a job well done.

1400

**Mrs Elizabeth Witmer (Waterloo North):** I would like to take this opportunity to truly congratulate the minister for what I believe to be one of the most outstanding statements she has made in this House each year as we have recognized Sexual Assault Prevention Month.

I'm extremely pleased that this minister has indeed been responsive to the concerns that have been raised by the opposition. In taking a look at my response of last year, May 3, 1993, I indicated at that time to the minister that I was concerned about the amount of gender-based violence that was going on in our school system, both physical and verbal, that was being directed specifically at girls and young women. Certainly today she has very adequately addressed that particular issue. The examples she's given here, although we don't like to acknowledge that they're indeed happening, I can attest as a female to the fact that they do, personally and as a teacher and also having a daughter.

I think it is time we take a look at some of the harassment that does take place. Unfortunately, some of it is very subtle. I'm pleased we have attempted to deal with that particular issue. I congratulate the minister for dealing with that issue today and for being responsive to the concerns of the opposition when we have suggested, as I did, that we need to focus our attention on the children in the elementary and the secondary school systems.

As I know the minister is responsive, there is another area I hope we can continue to focus our attention on. We've dealt with the adult for a long time now and I'm pleased that we're looking at the younger children. I would like to suggest that we take a look at what is happening with our children's aid societies. I've recently had an opportunity to meet with them. We know that children's aid societies throughout this province are in crisis. They are suffering from funding shortfalls and they are suffering from case loads that unfortunately are increasing. In fact, allegations of child abuse have increased by 200% since 1983. When you have about one million women in this province who are battered annually, in one of the four cases children are also being hurt or threatened at the present time.

I am certainly concerned that the children's aid societies have suffered. Unfortunately, the child protection services have been deteriorating recently, particularly as a result of the actions taken by this government. I am extremely concerned, when I take a look at the time I have spent in this Legislature since 1990, I do not believe children have figured prominently on our political agenda, despite the promises we made to the contrary.

I want to quote the Premier, who stated on November 4, "Let me assure you that the healthy development of Ontario's children remains a priority of our government." Although I think there was a sincere commitment, I don't believe we have provided these children with the protection services that have been necessary. I would certainly encourage the government to do whatever it can, because children's aid has been forced into a position where it has reduced its staffing by 175 positions. Also, they have cut \$13.5 million in preventive treatment and protective services in 1992.

I introduced, when I was first elected, a private member's bill that dealt with the need to provide mental health treatment for children in this province, because at that time we had thousands on waiting lists. Those people and those numbers have simply increased.

I just conclude by saying that the PC Party believes that Ontario's most vulnerable children have been forced to go without this additional support and protective services. I believe, as does our party, that it's absolutely time we continue to focus on really making children in this province a priority and that we look at all our policies and we make that commitment together today to ensure that our children will be healthy and will not have to experience further harassment or some of the other problems they are facing today.

**Hon Bud Wildman (Minister of Environment and Energy):** I would ask unanimous consent to make a short statement regarding the Ontario Hydro negotiations and contract.

**The Speaker:** Is there unanimous agreement? Agreed.

#### ONTARIO HYDRO AGREEMENT

**Hon Bud Wildman (Minister of Environment and Energy):** I thank my colleagues. I'm pleased to announce that the ratification vote by the Power Workers' Union has been completed and that over 87% of those voting have ratified the agreement.

**Mr Dalton McGuinty (Ottawa South):** Do I have an opportunity to respond, Mr Speaker? I want to take the opportunity now at this time on behalf of my party to reflect on this issue. I think all of us agree that it reached critical proportions and we indeed faced a crisis at the time. People thought the lights were going to go out in this province as the result of an Ontario Hydro strike.

All of us, the people of this province, use electricity in our homes, our offices, our hospitals, our schools, our farms. All of us rely on electricity in our day-to-day lives.

My party saw this crisis coming over a year ago, and we sought a simple reassurance, on our own part and on the part of the people of this province, from the government and particularly from the minister that he had a contingency plan in place, that our fears were in fact unfounded, that he would ensure that whatever the outcome we would never suffer the effects of a strike. As we all know in this House, we simply cannot withstand a strike from Ontario Hydro.

If there is one criticism I feel we can legitimately level at the minister, it is that he never disclosed his contingency plan. He never provided the reassurance we sought, that the people of this province sought. He needlessly took us right to the brink with him and caused needless anxiety for the people of this province.

Now we've got a deal in place, but all is not well, notwithstanding what the minister would have us believe, notwithstanding that Hydro is spending millions of dollars on an advertising campaign to tell us that everything is okay and that the new Ontario Hydro will take us into the future. On the other hand, we've got the union spending all kinds of money as well on television ads telling us that all is not well.

It seems to me it would be nice if somehow we could get all the moneys and energies being channelled into the TV ads for waging some kind of television war into some kind of cooperative effort in ensuring that we have the kind of Ontario Hydro we're going to need to meet the challenges of the future.

Ontario Hydro is undergoing a massive restructuring, and that's having a tremendous impact on its workers and their families. Unfortunately, we don't really know, though, what the heck is going on over there. For over a year we've been asking for public hearings on the restructuring process. I am pleased to see that the minister has asked the OEB to look into this. We are looking forward to playing an active part in those hearings and to actually making a presentation in an effort to lend some positive direction to Ontario Hydro's changes in the future.

**Mr Leo Jordan (Lanark-Renfrew):** Having been recently assigned the critic's role for energy, I'd just like to make a few comments on this agreement that has been reached with the union and Ontario Hydro.

There seem to be considerable misunderstandings about the surplus staff issue. Certainly there was an amount of money allotted to Ontario Hydro out of the pension plan in lieu of laying off, I understand, 600 to 800 people. In the meantime, over this two-year period, we haven't

received any information from the minister about the type of employment, the type of training or what will be taking place with these 600 to 800 people.

Some of the message coming through tells me it's the shutting down of Lennox and Bruce that will create this surplus. If that is the case, I would ask the minister to direct the chairman of Ontario Hydro to further investigate the shutting down of Lennox and of Bruce, because, as the minister very well knows, Lennox is in a very good location to service eastern Ontario. It has the 500-kV system coming from that plant to Ottawa and eventually to Cornwall and joining in with the Quebec supply.

1410

So rather than taking a negative approach to Lennox and to Bruce, I think it's time this minister took a positive approach and started to market the product that he seems to have a surplus of. If we had positive marketing, instead of negative marketing, we wouldn't have 600 or 800 surplus people; we'd be out trying to hire twice that number in order to service the market that's there. If anyone is keeping up with the technology that's taking place today across this country and doesn't see the increased need for electricity in this province, they're just not keeping up with the times.

I think of all the time that was spent with Bill 118 to try to give the Minister of Energy some power of direction to Ontario Hydro. I think this is an excellent time that the minister should be exercising that power and getting the feelings of the people of Ontario over to the chairman and the board. I don't take away from the chairman and his board on their efforts to date to cut costs and restructure Ontario Hydro, but there is a type of slash-and-burn approach that we're going at here.

I'm hearing many reports that the union is saying, "We now have one supervisor for every 1.76 people." Management is saying, "We have one supervisor for every 20 people." Somewhere in between are the facts. I think the minister should look into that aspect of administration at Ontario Hydro because even an engineer is not classified as a manager; that individual is classified as a person not belonging to the union, not part of the working trade, and does in fact come under the administration budget for Ontario Hydro. So it's very important that we decide, do we want one supervisor for every two people, or do we want one supervisor for 20 or more? All of these things are going to affect the cost of power.

The other problem is the sort of dictatorial way that money was taken and used as a supplement to the bargaining on this issue. I don't think there was much consultation with the employees through the pension plan.

**Hon Mr Wildman:** It was negotiated.

**Mr Jordan:** That's the question: Who had the authority to lay out this amount of money in lieu of 600 to 800 jobs? Regardless of the arguments in favour of that and whether it was good business or not, I think a much more positive approach would be to get off our butts and get out and market the product and create jobs.

MINISTERIAL STATEMENTS

**Mr Steven W. Mahoney (Mississauga West):** On a point of order, Mr Speaker: When we were asked to grant



unanimous consent for the Minister of Environment and Energy to make a statement, we of course agreed because we thought it was quite a serious matter. We would have looked for substantially more detail.

I would refer you to section 32(a), where it says:

"A minister of the crown may make a short factual statement relating to government policy, ministry action"—and this is key—"or other similar matters of which the House should be informed.

"(b)...shall not exceed 20 minutes....

"(c) Two copies of each ministerial statement shall be delivered to opposition party leaders, or their representatives, at or before the time the statement is made in the House."

**Hon Bud Wildman (Minister of Environment and Energy):** That's why I asked for unanimous consent.

**Mr Mahoney:** My point of order, as the minister interrupts, is that it would have been most helpful for opposition parties and for the members of the public to have had this delivered as a minister's statement, complete with the details that surround the ratification, complete with all information with regard to this matter. It would have followed the rules, in my respectful submission to you, that are laid out under sections 32(a), (b) and (c).

This government continues to refuse to follow the rules that are here in this document and to give us the proper information and, by giving it to us, to in turn give it to the public. I just wish that in future, the government would make ministerial statements when they're due and follow the rules and give us the information we need.

**The Speaker (Hon David Warner):** On the same point of order?

**Hon Mr Wildman:** Yes. The member knows full well that I indeed did follow the rules. I asked for unanimous consent. If the member and/or his party did not wish to provide me with unanimous consent but would have preferred me to wait until tomorrow to make a formal statement, as per the rule he quotes, I could have done that.

In fact, the House gave unanimous consent. That is in complete accord with the rules and it is quite appropriate, I think, on this kind of an issue, for a minister to request unanimous consent to make an announcement of tremendous importance to the people of this province, particularly when it's the ratification of an agreement that assures the members their jobs and also saves the corporation \$67 million.

**Mr Mahoney:** On the same point of order: At no time was I or any member in this House questioning the significance. In fact, we believe it was so significant that a minister's statement would have been appropriate, complete with the documentation to the opposition parties. All they do is have press conferences and break the rules—

**The Speaker:** First, to the honourable member for Mississauga West: I appreciate the concern which the member has expressed. He will know that the minister did not make a statement during the time allotted for ministers' statements. Had he done so, of course, the

rules apply with respect to details being provided to the opposition.

This is not a unique situation, where a minister of the crown has asked for unanimous consent from the House to provide some information to the House. Of course, when that is done, it is appropriate for the Speaker to allow someone from each party to have a brief reply to the information which has been provided to the House. That's in fact what we did today, so the member will understand that there is not anything out of order.

It is now time for oral questions and the honourable member for Mississauga West.

**Hon Bob Rae (Premier and Minister of Intergovernmental Affairs):** I hesitate to interrupt the honourable member for Mississauga West, but I wondered if I could just make a very brief announcement with respect to tomorrow's visit by Premier Johnson.

**The Speaker:** Agreed? Agreed.

#### VISIT OF QUEBEC PREMIER

**Hon Bob Rae (Premier and Minister of Intergovernmental Affairs):** Just to indicate to members, Premier Johnson will be visiting Queen's Park tomorrow and all members obviously are invited to participate in the signing ceremony tomorrow at 11:30.

**The Speaker (Hon David Warner):** Oral questions. The honourable member for Mississauga West.

**Mr Steven W. Mahoney (Mississauga West):** I assume the Premier will be providing a copy of his resolution for the Premier of Quebec so that he understands it.

#### ORAL QUESTIONS

##### FRENCH-LANGUAGE COLLEGE

**Mr Steven W. Mahoney (Mississauga West):** My question is to the Premier. On Thursday, my leader, Lyn McLeod, asked whether you felt it was appropriate for the Finance minister, the man who signs the cheques in this province, to use his position of influence to lobby the board of governors of the francophone college in Sudbury to take \$43 million that the Finance minister gave them and spend it in his riding.

Premier, I trust that you have since had an opportunity to talk to the Finance minister about this matter. Will you now agree that the Finance minister was wrong to try to influence this body, that his influence was in fact a violation of your conflict-of-interest guidelines, and will you tell the House what action you have taken to correct this matter?

**Hon Bob Rae (Premier):** I have spoken to the Deputy Premier and I'm sure he'd be glad to answer these questions as well. In looking at the situation, I must say I don't find myself in agreement with any of his characterizations of what took place.

The minister appeared as a member of an interested public at a public meeting. He appeared publicly to support the position of his municipality and his constituency; he did not try to exert private influence on any decision-maker; he did not seek a benefit for himself or for any member of his family in his representations; he candidly and openly represented the interests of his

constituency, and I can't see that that amounts to any breach of guidelines that have come from me or indeed from anyone else or the conflict-of-interest act. If the member disagrees, he knows there is a procedure which he can follow under the act to seek the opinion of the commissioner.

I think it's fair to say that in contrast to other circumstances, there was nothing clandestine or concealed in the actions of the member. He was very open at a public meeting in putting forward the point of view of his constituents.

1420

**Mr Robert Chiarelli (Ottawa West):** How about Joan Smith? Was that clandestine?

**The Speaker (Hon David Warner):** Order. The member for Ottawa West is out of order.

**Hon Mr Rae:** I can assure the honourable member that in considering what took place, I don't see any breach of any guidelines whatsoever.

**Mr Mahoney:** I'm going to have to check the Instant Hansard, Mr Speaker, but I believe I heard the Premier say that the Finance minister appeared before this body as a member of the public with an interest in this affair. The Finance minister himself in his defence has said he simply appeared as an ordinary MPP.

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** Right. That's right.

**Mr Mahoney:** He says he's an ordinary MPP. You say he went simply as a member of the public.

**Hon Mr Rae:** No, an MPP.

**Mr Mahoney:** I'll be happy to check the record on that, but that's what I heard you say.

The Conflict of Interest Commissioner has written, and I quote right from his letter:

"Once a member is appointed to the executive council, any action in which he or she is involved is the action of a member of the executive council. A minister is not an ordinary member of the Legislature. A minister always wears the cloak of ministerial responsibility. A minister is a minister is a minister."

These are not my words; these are the words of Justice Evans, the Conflict of Interest Commissioner. Yet the Finance minister made an unscheduled appearance in front of the provincially appointed board, was introduced not as a private citizen, not as an MPP, but as the Minister of Finance, and proceeded to pressure the board to award a \$43-million government tender to one of over 20 proponents who happened to have a site in his riding.

How do you reconcile these facts, Premier, with your stated, written guidelines and the ruling in the letter of Justice Evans, the Conflict of Interest Commissioner?

**Hon Mr Rae:** If the member is alleging that there is a breach of the conflict-of-interest law of the province or is making any other allegation with respect to the conduct of the member, he knows perfectly well, under the act, what his responsibilities are. He knows perfectly well that he has a responsibility if he believes that's true. The honourable member from Mississauga has an obligation

to ask the commissioner to rule and to indicate the opinion with respect to this situation.

**Mr Chiarelli:** Sit Justice Evans in your seat, then, if you want him to do your job.

**The Speaker:** Order.

**Hon Mr Rae:** My assessment of the situation is different from the honourable member's. Of course the Minister of Finance is the Minister of Finance is the Minister of Finance. That's true. He is also a member who represents his constituency and who is allowed, it would seem to me, from time to time to speak on behalf of his constituents.

**Mr Tim Murphy (St George-St David):** That's not what you said about Joan Smith.

**Hon Mr Rae:** I do that without any sense of apology. Every member of the cabinet does it from time to time. There was nothing clandestine. There was no attempt to bring any undue influence. There was nothing of this kind. There's no tendering.

*Interjections.*

**The Speaker:** Order.

**Hon Mr Rae:** The member for Oriole says there's tendering. Not so, Mr Speaker. That is not the stage which this process is at. This was a public meeting at which various views were expressed from all sorts of people with respect to the possible location sites of a college. It was not a meeting that was intended to reach a decision. It was not a meeting at which final tendering decisions or proposals were made. It was one in which a number of options were being canvassed in public.

I would have thought that the interest—in fact I would argue quite the contrary. I would argue that the member acted with complete integrity. He acted completely openly. His entire actions and his points of view are now clear to everyone with respect to this question. As opposed to doing it on a telephone or through a back room, the member did it, as we always know the Deputy Premier and the member for Nickel Belt will do, with total and complete integrity, and I'm astonished that the member would take a different point of view.

**Mr Mahoney:** Premier, you and I both know that you're not astonished that I would take a different point of view than you. You and I both know that.

It's interesting to me, Premier, that you're the one who continues to say there was nothing clandestine. I readily admit, in fact this was not only open, this was blatant. It was unbelievable.

Imagine if you were one of the proponents, some of whom spent in the neighbourhood of a quarter of a million dollars to put their proposal together. Imagine showing up in front of the board to plead your case and make your representation only to find that the group directly in front of you is led by the Finance minister of the province of Ontario. Might you think that your quarter of a million might as well have been flushed down the toilet? Might you think that there is some disadvantage that you are facing in getting a fair decision?

I'm astounded at you, Premier, that you can stand in



this House instead of admitting and recognizing that this is, if nothing else, lacking in fair play. I am just astounded.

Let's reconstruct the events for you. The second-most influential politician in the province of Ontario and the political boss of Sudbury appears before a provincially appointed board charged with awarding a \$43-million provincial tender.

**The Speaker:** Can the member place his question, please.

**Mr Mahoney:** He will be signing the cheque. He will be remembering the board's decision. He wants to get re-elected. He wants the project in his riding. He says to the board: "I am here in support of the Rayside-Belford proposal. It will benefit my constituents and I don't need any more reason than that."

**The Speaker:** Would the member please place a question.

**Mr Mahoney:** My question, Premier, is that, whether you or the leader of the third party think there's a problem here or not, we think there is. We think there is more at stake here than the integrity of the tendering process for the francophone college. What is at stake here is the integrity of the entire political process and the integrity of your government.

**The Speaker:** Would the member please complete his question.

**Mr Mahoney:** Premier, wouldn't you say this is just a little more serious than a minister's constituency staff fixing a parking ticket?

**Hon Mr Rae:** The honourable member is saying things that are utterly preposterous. They show a lack of perspective on his part which I find truly quite appalling. You are putting—

**Mr Mahoney:** The question's to you, not to me.

**The Speaker:** Order.

**Hon Mr Rae:** No, I'm answering the question and I'll answer it very directly. In putting forward your question, you're making allegations which have no foundation in fact. You are drawing conclusions which bear no relationship to the situation. You describe it as a tendering process; this is not the tendering process. You describe it as some sort of judicial inquiry; it's not that. It's a public meeting held by the board in which all sorts of individuals come forward and say, "Here's an idea, here's a proposal," in which the mayor for Rayside-Belford came forward with a proposal and the member, who is also the Minister of Finance, indicated that there was public land here and it would involve some saving but it would have to be considered along with all the other proposals.

There was absolutely no attempt, no effort by the Deputy Premier, by the Minister of Finance, whose integrity is a watchword in this House, in this Legislature and in this province. The idea that you would cheapen it like that is just not becoming to your party; not becoming at all.

#### HEALTH INSURANCE

**Mrs Barbara Sullivan (Halton Centre):** My question is to the Minister of Health. Last Thursday, late in the

afternoon, the Minister of Health announced, out of the blue, new rules on how Ontario's health insurance plan will cover emergency hospital services outside of Canada. The minister's new rules are illegal, a clear violation of the Canada Health Act, and are another frontal attack on medicare in this province.

My question to the Minister of Health is, where are you taking medicare in Ontario?

**Hon Ruth Grier (Minister of Health):** I'm delighted to answer that question, because our government is taking medicare in a direction that will make it sustainable for the future for the people of this province.

Under the Liberal government and under their predecessors we had double-digit increases in the costs of health care for a decade. We had an open-ended system in which there was no management, in which the red-and-white Liberal health card was proliferated across the province with no ability to secure the system or to avoid fraud.

Where we're taking the province and the medicare system is into the 21st century in a way that recognizes the broadest definition of health, the broadest teamwork of professionals in providing health care, and in a way which keeps it affordable to the people of this province for future generations.

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**Mrs Sullivan:** What the Minister of Health is doing precisely on this issue is breaking the law. She's breaking the law. The Canada Health Act is very explicit on this particular issue. Provincial health plans must cover people who are temporarily out of Canada on the same basis as it covers them if they need treatment inside Canada. Your announcement breaks that law. It introduces a new user fee of \$100 a day for people who need emergency treatment and are entitled to it, by law, wherever they are. I'm asking the Minister of Health if she will for once stand up for medicare and withdraw these new rules.

**Hon Mrs Grier:** I won't respond to the inflammatory suggestion of the member that I stand up for medicare. That's what I've done throughout my life and will continue to do.

Let me say to her, though, that the Canada Health Act is a federal act. There are very inconsistent interpretations of that act across the country as different provinces over the years have interpreted various sections in various ways. As we looked at ways of reducing the cost of the health care system and making it affordable for the residents of Ontario, we looked at what was happening in other provinces and we looked at the interpretation of the Canada Health Act in other provinces. We found that since 1974 the province of British Columbia has paid \$75 a day for out-of-country hospital fees. We found that Alberta and Saskatchewan were charging \$100 a day. Some other provinces were charging more, but the Canada Health Act had not been called into question by those inconsistencies.

In order to make some savings in our health care system and to keep it affordable and to be enabled to provide free drugs for all seniors in this province, which other provinces don't do, we saved \$20 million by

reducing the amounts we pay for out-of-country hospitals. We still pay for out-of-country physicians at the OHIP rate, let me remind the member before she talks about user fees, and we imposed a cost that was consistent with other provinces, and with more than one.

**Mrs Sullivan:** I point out to the Minister of Health that Ontario does not want to be cloned with Ralph Klein and if she sees herself as a clone of Ralph Klein, well, that's her business. But the people of Ontario did not elect this government to destroy medicare. It did not elect this government to add new health taxes to business people, to families with children, to senior citizens who are entitled to health care under the Canada Health Act and under OHIP wherever they are.

In particular, this is another attack in a series of attacks on Ontario seniors. We've seen those attacks: withdrawal of drugs from the Ontario drug benefit plan, increased cost for accommodations in nursing homes, and now a new tax on the sick, a double billing for services which should already be covered by OHIP, and which are in fact. I challenge the minister to check the act, subclause 11(1)(b)(ii). It requires that these services be paid at Ontario rates.

She's breaking the law. It's illegal. It's arbitrary. It's unjust. I'm asking her if she will commit to withdrawing this new measure.

**Hon Mrs Grier:** I've explained in this House on a number of occasions that we've had to make some tough decisions in order to protect both the finances of this province and the health care system of this province.

**Mrs Sullivan:** Breaking the law to do it.

**Hon Mrs Grier:** As I explained to her in my response, the Canada Health Act is a federal law, and if in fact the other provinces and us and the federal minister, as there has been a working group in place for many months to look at the inconsistent interpretations of the Canada Health Act—

**Mrs Sullivan:** Bob Rae, where are you on this?

*Interjections.*

**The Speaker (Hon David Warner):** Order. Order, the member for Halton Centre.

**Hon Mrs Grier:** If the member would just calm down and listen to the answer, she would understand that any actions this province has taken are not out of line with interpretations of the Canada Health Act in other provinces and are not out of line with interpretations that Liberal governments have given to the Canada Health Act, and are designed to protect the health care system of this province.

#### ASSISTED HOUSING

**Mrs Margaret Marland (Mississauga South):** My question is for the Minister of Housing. Under the expenditure control plan, the government wants to cut \$5 million from the budget of the provincial rent supplement program. Last year, the government said it would achieve this cost savings by renegotiating agreements with private landlords.

Not so. Instead, tenants are in effect being evicted by the province. For example, tenants who receive rent

supplements through the Oxford County Housing Authority have already received letters saying that unless they can pay the market rent, the tenants will have to leave their homes and move to vacant Ontario Housing Corp or non-profit units. If a tenant rejects the alternative accommodation offered, the housing authority will discontinue the tenant's subsidy. Needless to say, the tenants are very upset and very worried.

Minister, why are you of all people forcing these tenants out of their homes?

**Hon Evelyn Gigantes (Minister of Housing):** I will be glad to examine the particular situation referred to by this member, but it is not the intent, through the expenditure control program, to leave tenants in anxiety about their future. It is part of the expenditure control program that we review the rents, some of which have been allowed to rise each year on an annual basis to the point where I think the rent supplement program has been much too rich.

It is part of our commitment at the Ministry of Housing to review all those rents, to make proposals that can be implemented by the local housing authorities to achieve better deals on behalf of taxpayers in this province, and to try and ensure that tenants who are reluctant to move from what may be quite high-cost apartments when there are other, lower-cost apartments within the community will be assisted to find lower-cost units.

**Mrs Marland:** What you are saying is that you really don't know what's going on, because this was a direction that came from your own ministry. If the timing outlined in the letters to the tenants which they received from the Oxford County Housing Authority is accurate, some tenants will be forced to break 12-month leases. Even those tenants with month-to-month tenure will be unable to give 60 days' notice as required in the infamous Landlord and Tenant Act.

Minister, you are putting tenants in a legal and financial bind. As you know, they are responsible for paying the rent on the unit until the lease expires or the required notice period has passed. Why are you putting these tenants in the position of either breaking the Landlord and Tenant Act or being responsible for a financial load they cannot possibly bear? I haven't even asked you about their moving costs.

**Hon Ms Gigantes:** I'd be happy if the member wishes to ask about the moving costs, but to get to the point she raises in this question, in fact there is a lease between the local housing authority and the landlords in the rent supplement program. It is that lease which is being renegotiated. The situation of the individual tenants will be taken into account in those measures which the Ministry of Housing will be undertaking to assist tenants who are in apartments which we have found to be over the normal kinds of prices at which we would expect to be able to find rent supplement units within that community. We will also assist tenants if they find themselves in a position where it may be necessary to move in order for them to find less expensive rent supplement units.

**Mrs Marland:** Minister, I'm sorry you're not up to date on this particular issue and this example, because if



you were, it's not about renegotiating their existing leases; it's about telling them to move. It's unfortunate you don't know that.

Originally, in your expenditure control plan, it was talking about renegotiating leases, but that isn't what's happening. They're being asked to move and that's what we are concerned about. We have to wonder what you're achieving by forcing these tenants out of their homes. You're taking assisted housing units out of commission when there are still thousands of families on waiting lists for assisted housing, perhaps in excess of 60,000 families in this province on those waiting lists. Moreover, the government doesn't have to worry about guaranteeing mortgages for these units or making reserve fund contributions for their repairs or maintenance.

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Even if the minister tries to justify her shoddy treatment of these tenants on the basis of saving \$5 million a year, it's still hard to see where the savings are going to be possible. Some tenants will be moved to non-profit projects which have vacancies.

**The Speaker (Hon David Warner):** Could the member place a question, please.

**Mrs Marland:** Minister, the Provincial Auditor estimated the average provincial subsidy for a non-profit unit to be \$1,000 per month. By contrast, this move that you're making deals with a subsidy of \$565 a month.

**The Speaker:** Could the member please place a question.

**Mrs Marland:** Where is your cost saving if the subsidy for the new unit is greater? Therefore, what is your justification?

**Hon Ms Gigantes:** The member is confusing apples and oranges, because in one case, in the non-profit housing program, we are generating new affordable units with that program, as well as providing people with assistance in housing.

Second, when she discusses the cost of the rent supplement program, she is discussing an average cost, and some of the apartments which have been included in the rent supplement program have in fact been above that cost.

The province has decided, in terms of making sure that we have expenditures under control, through the Ministry of Housing to make moves in the rent supplement program which we believe will be to the benefit of tenants in the longer run in Ontario. We believe the measures we're undertaking to assist tenants who may be asked to move are ones which will support them. The fact is that we cannot go on without the assistance of the federal government in a program which does not create new affordable housing.

I'll be glad to look into the particular circumstances she's talking about with the Oxford local housing authority.

#### OFFICE OF THE OMBUDSMAN

**Mrs Elizabeth Witmer (Waterloo North):** My question is for the Premier. Today the Ombudsman's nine district offices are closed because of a labour dispute.

The Office and Professional Employees International Union has been trying to negotiate a first contract for over one year.

Premier, if the Office of the Ombudsman cannot manage its own internal labour relations, how can the people of Ontario have any confidence that this office can arbitrate other disputes between individual Ontarians and provincial government ministries and agencies? What does your government intend to do about this dispute?

**Hon Bob Rae (Premier):** As much as I'd like to answer it, I think I'll refer it to the Minister of Labour.

**Hon Bob Mackenzie (Minister of Labour):** The parties are involved in first-contract negotiations. Sometimes this is difficult. The union commenced a rotating work stoppage on May 2. The mediator met with the three parties on April 14, prior to that, and again on April 27, but a number of issues remain unresolved and the mediator is remaining in close contact with them as they go through the normal collective bargaining process.

**Mrs Witmer:** I would suggest that we've had problems there for a long time. The 1992-93 budget for the Office of the Ombudsman was \$9.4 million, and the Provincial Auditor indicated in his November 1993 report that there were a number of spending irregularities at the Office of the Ombudsman.

First, there was a \$223,000 advertising campaign launched but there was never an evaluation carried out to determine the effectiveness of the campaign.

The competitive bidding process was not followed. The office paid approximately \$29,000 for two voice-activated computers without obtaining competitive bids.

When the lease of its high-volume photocopier expired, the office replaced it with another machine from the same supplier. No other suppliers were contacted and no needs analysis was done. It was determined that if this had been done, there could have been a potential saving of \$14,000 over three years.

They spent \$327,000 on consulting services. Six of the nine consulting contracts were not selected using a competitive process even though their value exceeded \$5,000.

**The Speaker (Hon David Warner):** Could the member place a question, please.

**Mrs Witmer:** Mr Minister, given the lack of spending controls at the Office of the Ombudsman, will you lend your support to refer this matter to the Ombudsman committee for a full and open review of the auditor's report?

**Hon Mr Mackenzie:** I don't know how the irregularities, if indeed they exist, that are being mentioned by the member across the way have anything to do with the fact that the local union was certified on February 5, 1993, and is currently involved in collective bargaining, which is what she asked me about, and that process is ongoing right now. It has nothing to do with the various irregularities, or alleged irregularities, she's listed here in this House.

**Mrs Witmer:** The questions I'm asking today are related to the Office of the Ombudsman. This is not the first time today. As I have indicated, there are other

instances where we have seen controversy emerging around the Office of the Ombudsman. If you remember, in 1993 the Ombudsman indicated that she did not feel she was accountable to the Ombudsman committee of the Legislative Assembly. Given all that has happened in the area of the Ombudsman, would you not agree that it is time for a full review of the role of the Ombudsman in this province?

**Hon Mr Mackenzie:** The question that was first asked by the member across the way was about the current strike and labour dispute and I'm not sure what that has to do with the role of the Ombudsman.

#### FRENCH-LANGUAGE COLLEGE

**Mr Steven W. Mahoney (Mississauga West):** I'd like to return to the Premier with regard to the Laughren affair.

#### *Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Mahoney:** I can appreciate the fact that the government doesn't think this is a serious problem.

Premier, I just want to tell you that I think all members in this House recognize the integrity of the Finance minister as one of your more senior and more capable members in your cabinet. That is not in dispute, nor is it a question. The question is, did your Finance minister make a serious mistake?

Premier, you will be aware that there is a growing sense, both in Sudbury and around the province, that your Finance minister has pushed his own influence far beyond an acceptable level. Will you, Premier, at least acknowledge that he indeed appeared on behalf of the proponent to attempt to influence the decision of the board?

The members of the board have now been put in an untenable position. If they go against the will of the Finance minister, and the political boss of Sudbury, I might add, they now have to wonder how that will affect their future relations with the Finance minister and with the government.

Premier, how can you let this blatant example of abuse of ministerial privilege go by and continue to refuse to deal with what can only be termed a serious political mistake by your most senior member of your cabinet?

**Hon Bob Rae (Premier):** The political boss of Sudbury is sitting in the gallery above the opposition's benches at the moment. The member for Nickel Belt has been called many things, but your description of him as a political boss is absurd, it's ridiculous, and it shows the level of rhetorical abuse to which you are prepared to go in order to make something out of nothing.

I would say to the honourable member that the board in question is going to be canvassing a number of options and sites. From what I understand, there's a consultant who's hired by the board who's going to make an objective assessment of the cost and benefits of each site that's being proposed. There will then be a short list and there will then be a recommendation made by the board.

I would say directly to the honourable member that your description of the member for Nickel Belt as somehow trying to go in and intimidate or do anything

untoward is absolutely absurd. It's ridiculous. It bears no relationship to the facts or to what has taken place. I just don't think it passes muster. If you really believe what you're saying, then make your allegations in writing to Judge Evans and let's use that process.

1450

**Mr Mahoney:** Is the Premier really trying to suggest that the Minister of Finance, prepared, going before a board appointed provincially making a decision on how to spend \$43 million of government taxpayers' money, would not be listened to, that he would not have any input? Well, why did he go? Why would he bother?

Premier, every time your ministers get in a little bit of hot water, it's because they don't understand why they cannot use their ministerial position to influence. You said "intimidate"; I didn't. I said "influence." They cannot influence and they cannot interfere in areas where they have no business interfering.

In fact I question whether an elected representative should be going before a board like that, never mind the Finance minister of the province, whether it's Shelley Martel smearing a doctor or Mike Farnan's office fixing a ticket for political benefit. And I would suggest, Premier, there's one heck of a difference between a \$26 parking ticket and a \$43-million taxpayer-funded project. Each time they broke the rules, you defended them for a time until you axed them.

Premier, are you going to simply turn a blind eye to this abuse by your Finance minister or are you going to act to ensure that this kind of influence is never used by one of your ministers again?

**Hon Mr Rae:** I think the member's characterization of what took place is grossly unfair to all of us, and I wish he would really think it through. If you have an allegation to make with respect to conflict, then I would suggest—

**Mr Mahoney:** You don't think that he had an effect? Why did he go, Bob?

**The Speaker:** Order. The member for Mississauga West.

**Mr Mahoney:** Why did he go?

**The Speaker:** The member for Mississauga West, please come to order.

**Hon Mr Rae:** The honourable member is out of control. He's out of control. If he's making an allegation with respect to a conflict, he knows perfectly well there's a law in place. He has a place to go. Use it. Use it. Use it.

#### SPEECH-LANGUAGE PATHOLOGY

**Mr Cameron Jackson (Burlington South):** My question is to the Minister of Health. On January 24 of this year, a letter was sent, addressed "Dear Community Partners," to 120 families on active treatment and a further 90 families on waiting lists for outpatient speech-language pathology services at the Joseph Brant Memorial Hospital in the city of Burlington.

They received this form letter advising them that the program that was currently being covered by your ministry was being cancelled with one week's notice.



They were given and circulated a list of three hospitals outside of their city and several private clinics as an opportunity to pay up to \$80 per hour to replace this vital service to children.

My question to you is, why is it that a hospital can terminate a vital children's service and then promote a private-fee alternative service and only give one week's notice to its patients?

**Hon Ruth Grier (Minister of Health):** As I'm sure the member knows, hospitals are autonomous organizations that frequently make their own decisions. I'm not familiar with the details of the situation the member raises. If he would be good enough to send over the material that he has, I'd be more than happy to look into it and respond at a later date.

**Mr Jackson:** Thank you, Minister. The minister is familiar, though, that preschool speech-language pathology services are severely strained in this province. Many of the families contacted the representatives in this House for Burlington, including one family, the father of a young boy, Robbie, whom I got to meet. He's four and a half years old and he is academically delayed. He is functioning at the language level of a one-and-a-half to two-year-old at this point. This child will confront the rigours of kindergarten this September, yet that's how far this child is delayed with developmental apraxia.

The father wrote me a letter indicating, based on Joseph Brant's suggested options, that Chedoke hospital had an eight-month waiting list, and Oakville-Trafalgar the same, yet you had to have a doctor with privileges in that hospital. At the Children's Assessment and Treatment Centre, there are no openings till September, and it had only 18 to begin with. This was no relief for the 120 children in active treatment being told there's no longer any service.

Minister, I want to let you know that your critic from the Liberal Party, from Halton Centre, my colleague from Oakville South and I were at Joseph Brant hospital last week and were advised that the hospital expects a \$1-million operating surplus this year.

**The Speaker (Hon David Warner):** Could the member place a question, please?

**Mr Jackson:** I ask the minister, why is it that a program of such a vital service to children, to learn how to speak their first language in this province, would be dealt with in such a fashion and escape the scrutiny of your ministry? Would you please undertake to open up this case and examine why these services have been diminished for children in Halton county?

**Hon Mrs Grier:** I certainly will, and if the hospital has \$1-million surplus, I find his question even more surprising and I want to look into it.

I am well aware of a very troubling increase in the need for speech and language assistance for young children. I know the community health centre where I get my health care has a speech pathologist on staff and the waiting lists are growing. It is an area where there are waiting lists; I acknowledge that.

I will certainly look into the specific situation the member has raised and get back to him when I can. I'd

be happy if he would send me over whatever material he has.

#### MASSEY CENTRE FOR WOMEN

**Mr Gary Malkowski (York East):** My question is to the Minister of Housing. The Massey Centre for Women provides housing and resources for young, pregnant women and single mothers. As you know, the Massey Centre has asked for an exemption under Bill 120, the Residents' Rights Act, because they believe, and I do too, that they will not be able to run the program they do now under the Landlord and Tenant Act.

You have told them that they should continue to enforce house rules, as they do now under their current exemption, with the help of the police. The Massey Centre feels that an inability to evict visitors in a timely manner will be counterproductive to the treatment program that they provide.

Will the minister reconsider her decision and grant Massey Centre an exemption?

**Hon Evelyn Gigantes (Minister of Housing):** I'm certainly aware of the concerns that have been raised by the Massey Centre and in fact by other non-profit organizations which, like the Massey Centre, are running programs specifically addressed to young mothers living by themselves with a baby who need a lot of support. Part of the program in these cases is to make sure that the young women and their children are not going to have their lives disrupted by unwanted visitors. I think that is in particular what the member for York East is concerned about in the case of the Massey Centre.

Under the Landlord and Tenant Act tenants and landlords have a right to take action against unwanted visitors, particularly visitors who pose any threat to the residents. It is the right of every tenant under the Landlord and Tenant Act, and this would apply to other young women and their children living in the program, to expect to find peaceful enjoyment of their residence. If the visits of threatening or violent people are disturbing their peaceful enjoyment under the Landlord and Tenant Act, with the cooperation of the police, the landlord and other tenants can take moves against such unwanted visits.

**Mr Malkowski:** Will the minister agree to work with Massey Centre to deal with the problems it faces as a result of this legislation?

**Hon Ms Gigantes:** I met about a week and a half ago with representatives of the Massey Centre. I had previously visited the centre. I made the offer to them that in any way possible the Ministry of Housing will assist their particular program as it comes to grips with operating within the Landlord and Tenant Act, which, I should point out, has been the operating framework for many non-profit programs in the past, programs that have care components attached to them. So it's not impossible, and the ministry will undertake a proactive effort to advise and assist programs which, once the passage of Bill 120 has been assured, will be operating within the landlord and tenant framework of this province.

#### CORPORATION FILING PROGRAM

**Mr Carman McClelland (Brampton North):** My question is for the Minister of Consumer and Commercial

Relations. Last year your government introduced a \$50 annual filing fee for small businesses, in fact for any businesses in the province of Ontario. What it was essentially was a tax grab that provided absolutely no service for those businesses. If it was a onetime filing fee, that might be understandable, but this is an annual fee. You're coming back to businesses year after year and asking them for that \$50.

1500

Minister, will you commit to getting rid of that tax grab in the budget this Thursday, when the Treasurer reads his budget, Thursday, May 5? Will you commit for your government to remove that obvious and very blatant tax grab on the small businesses of the province of Ontario?

**Mr Alvin Curling (Scarborough North):** Just say yes.

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** He wants me to just say yes. That would simplify it, wouldn't it? However, I can't do that, because, as I've explained in the House before, the reason this government brought back this annual filing fee is because the records were in such disarray.

Thousands and thousands of companies and people use this information on a daily basis, and it's really important that these notices be kept up to date. Unfortunately, what happens when there isn't a specific requirement is that businesses and non-profits do not let the ministry know when circumstances change. It is a real problem.

Other provinces do this. The federal government does this. I believe it was a Tory government which years ago removed it, and it just didn't work. We have to keep those records up to date for the benefit of the people who use them.

**Mr McClelland:** Quite frankly, Minister, your answer defies logic. If in fact the records needed updating, and let's consider that a given for a moment, it would seem reasonable that you'd have a fee to go with that. It would also seem reasonable, therefore, that you would have a fee when you change and amend filing. But don't have a perpetual annual fee that punishes people for being in business.

Minister, everywhere we've gone across this province on our jobs and growth paper, our jobs task force has heard from businesses over and over again that your government refuses to allow businesses to breathe and operate in this province. What you continually do, Minister, and the message you send business, is, "We're going to hit you at every turn."

Minister, last week your Treasurer, the Minister of Finance, said that this was going to be a budget that was committed to creating jobs and it would be pro small business. You can send a very clear, obvious signal that business is welcome in this province of Ontario by taking a simple step and being reasonable in removing an unreasonable fee.

Minister, it is not reasonable to ask people to file when they're not providing any new information and to punish them every year for being in business. Will you advocate on behalf of small business and go to your colleagues and

say, "Get rid of that fee," and allow businesses the opportunity to do what they should do, create a profit and create jobs in this province?

**Hon Ms Churley:** I realize that this is a very popular fee for the opposition to be slamming. I understand that in certain quarters it's symbolic. However, it's \$50 per year for corporations and \$25 per year for non-profits. Every other province in Canada, I understand, has this fee. The federal government has this fee. We only hear about it here in Ontario because it's fairly new again.

**Mr Robert Chiarelli (Ottawa West):** The least you could do is throw in a lottery ticket.

**The Speaker (Hon David Warner):** Order, the member for Ottawa West.

**Hon Ms Churley:** We looked very closely at the necessity to bring this annual filing in. We think it is important—it has been proven that it is important—that we keep these files up to date. It seems the only way to do it is to require that people file every year, and yes, there's a cost associated with that that we believe the general taxpayer shouldn't have to cover.

I hope that explanation, although I recognize the opposition likes to make a big deal out of this, and I know it's unpopular in the business community—it is only \$50 a year and it ensures that for these corporations, the information we have and the information to the public who are searching through these files is the correct information.

#### HIGHWAY CONSTRUCTION

**Mr Noble Villeneuve (S-D-G & East Grenville):** To the Minister of Transportation: The minister, I'm sure, remembers that the Chrétien federal Liberals in the election campaign of last fall promised to pay one third of the cost of completing Highway 416.

I understand that you have met with the minister responsible for the infrastructure program recently. Can you tell this House today what the results of that meeting were? When is the money coming? We're most interested. That highway has to be completed soon.

**Hon Gilles Pouliot (Minister of Transportation):** The member is right: Highway 416 is a link of symbolic importance to the nation's capital.

Despite the promise of Liberal MP Jim Jordan of \$60 million, there is no money coming from Ottawa. I met with Mr Eggleton, who is the minister responsible for the infrastructure program—I'm talking here about the municipal-provincial-federal infrastructure program—and Mr Eggleton personally assured me, when I met with him for two hours nine days ago, that the money is fully committed.

What we've done singlehandedly today on Highway 416, the northern section, the Ministry of Transportation, since 1990, has spent \$75 million, creating 1,500 jobs. We've also accelerated the date of completion, so when all is said and done, by 1996 we will have spent \$125 million on the northern section, creating 2,500 jobs with not a penny from federal participation.

**Mr Villeneuve:** A lot more than symbolism here, because we have many—



**Mr Robert Chiarelli (Ottawa West):** It's not selling in Ottawa.

**The Speaker (Hon David Warner):** The member for Ottawa West is out of order.

**Mr Villeneuve:** We have many tragedies on that highway, and that's more than symbolism. These are lost lives, and it's because there is a lot more traffic than the highway was ever intended to carry. We're talking about \$175 million and many thousands of jobs.

From 1980 to 1985 the Ontario Progressive Conservative government acquired all the land and got everything ready for this highway. The Liberals came to power, made all sorts of promises. They didn't quite occur. We now have another government in power. Highway 416 is urgent. It's more than symbolism to the nation's capital; it's a safety factor for many American tourists coming in.

When can we expect completion of Highway 416?

**Hon Mr Pouliot:** The member is right: They did some value engineering, property acquisition. We're putting people to work shovelling the ground. We realize the safety importance. We have a safety program never equalled before. We're going forward with our safety program.

When you're talking about the southern portion of Highway 416, you're looking at \$380 million. We can't do it alone. What we need is participation from the federal government. You're right. Where is the \$60 million? Where is it?

Then we're also looking to tolling the 416, but tolling will not pay for the cost of the project. Tolling by itself won't do it because of volume. Innovative financing, federal participation, we've already shown our cards and our willingness—the political will is there—to do it on the northern section. We'll look forward with the commitment. Put the money, the cheque, in the envelope and address it to Queen's Park. We're going to the private sector for innovation in tolling. Then we'll put more people to work and we'll have the 416 if they will participate.

#### ASSISTED HOUSING

**Mr Donald Abel (Wentworth North):** My question is to the Minister of Housing. In today's Toronto Star there is this editorial entitled, "Let Auditor Probe Housing Boondoggle." This article claims that you were "aware of financial irregularities at a provincially funded non-profit housing agency in Toronto, but" were "too slow to act." It also claims that you "knew about financial troubles but" were "reluctant to make them public."

It goes on to say the ministry "tried to hide two 1990 audits...that uncovered questionable spending and hidden bank accounts at Houselink Community Homes Inc." It also makes mention of "unauthorized spending, shady accounting and excessive salaries at Houselink."

1510

I find this extremely disturbing. I want to know, Minister, are you trying to hide the results of this audit? Is this mismanagement and misspending really going on in your ministry?

**Hon Evelyn Gigantes (Minister of Housing):** I read

the Toronto Star editorial too, and while I was encouraged by the fact that the Toronto Star editorial indicated support for the non-profit housing program on the whole, it certainly did make some questionable kinds of conclusions about the discussions which had gone on here in the Legislature and in public discussion over the last several days.

If I could just make the record clear, the Ministry of Housing undertook an audit of its contracts with Houselink in the early period of 1990, before our government was elected. That audit was reported to the Ministry of Housing in the fall of 1990, and from that point on the Ministry of Housing undertook a series of measures in order to ensure that the recommendations put forward in the audit were being carried out, and in fact had a great deal of cooperation from Houselink, the non-profit organization, in that whole effort.

**Mr James J. Bradley (St Catharines):** Look up there when you're saying it to the Star.

**The Speaker (Hon David Warner):** The member for St Catharines is out of order.

**Hon Ms Gigantes:** There was no attempt to hide audits. There was a request from a reporter at the Toronto Star to have access to the audits. That request was turned down. A few weeks ago, when I learned that it had been turned down on the grounds that it would interfere with third-party interests, I asked for a review of the decision by the Ministry of Housing, and the audit has been made public.

#### SECURITY AT CORRECTIONAL FACILITIES

**Mr Robert V. Callahan (Brampton South):** My question is for the Minister of Correctional Services. Minister, you will know that in the good riding of Brampton South we have Vanier Centre for Women, the Ontario correctional facility. I'm sure you're concerned about safety, or at least I hope you are.

However, I wonder if you're aware of the fact that a new locking system was installed at Vanier Centre for Women at a cost of \$160,000. As a result of a Ministry of Labour hearing on a grievance, they have indicated that this locking system—at \$160,000, which is money that's needed for other things—is going to have to be replaced.

I further understand that rather than accept that and remedy the situation for an additional expenditure of money, your ministry is planning on appealing this decision, which will cost far greater amounts than replacing the locking system.

Mr Minister, are you concerned about the safety of the residents in my community because the locking system is a danger to them? Equally, are you concerned about the people who work in the correctional facility at Vanier in terms of their safety? What are you going to do about it?

**Hon David Christopherson (Minister of Correctional Services):** The safety of our employees, the community and inmates is clearly a very high priority for this ministry, and let me say that it was under the leadership of the honourable member's government and the preceding government. On that, we never have any disagreement.

Let me say that with regard to the issue of locks, as the honourable member will know, there was an issue some months ago that has been addressed and dealt with in concert with the Chair of Management Board, who has responsibility for facilities in the province of Ontario. With regard to the specifics at Vanier, I would have to take the questions as a matter of notice and get back to him on the details of the local officials' apparent position that he's offering up today.

**Mr Callahan:** Minister, the \$160,000 that was spent on this locking system that doesn't lock could have been spent on a higher fence. It's well known that there have been numerous people who have decided to take a walk at night and not come back by scaling the fence that surrounds Vanier Centre. They couldn't put in a higher fence because they didn't have the money to do it.

So I have to say, Minister, are you really serious about the safety of the people in my community in terms of potential escape? Are you really serious about the safety of the workers in those correctional facilities when you can blow \$160,000 on a locking system that is unsafe and not be able to put up proper fencing to ensure that the inmates remain there and not stroll around Brampton South and the environs?

**Hon Mr Christopherson:** I obviously take at value the comments the honourable member is making with regard to the safety of his community, and that indeed is his role here. Let me say that I am not of an opinion that Vanier is of particular concern right now. However, out of respect for the specifics he has raised here, I am prepared to take the matters as notice and I will respond to him in detail with regard to those specifics he has raised here today.

#### SOFT DRINK CONTAINERS

**Mr David Tilson (Dufferin-Peel):** I have a question for the Minister of Environment and Energy. It's a question that was asked of him at least twice last year and it has to do with the Liberal requirement that 30% of soft drinks must be sold in refillable containers. That question was put to you at least twice last year. What has the ministry been doing to ensure that the 30% requirement is being fulfilled?

**Hon Bud Wildman (Minister of Environment and Energy):** The member is probably aware that the 30% has not been met and that there has not been any action taken, as far as I am aware. In the interim, the ministry has been actively involved in negotiations with members of the private sector, including the soft drink manufacturers, for an approach that would mean a considerable increase in the private sector financing for the 3Rs program, specifically for the blue box, to assist in the funding of the blue box. The question of the 30% requirement has not been a matter of discussion in those negotiations, but the question of how we deal with that will certainly be one of importance, pending the result of those negotiations.

**Mr Tilson:** I am aware that you're having difficulty with this policy. That leads to a question I'd like you to be little more specific on, because either you're going to enforce the requirement or you're going to drop the policy. If it's not working, why have it?

**Hon Mr Wildman:** The member will know that the minister does not make a decision with regard to enforcement or non-enforcement. It would be quite improper for me, as a minister, to make a statement that we would or would not enforce.

The question of whether the policy should remain is one that, as I said, will be addressed anon, after the outcome of the negotiations. I want to make clear that the two matters are not connected, but of course they involve both the government and the companies that are committed to the 30%. I would think we will be making some decisions around the policy in the not-too-distant future.

#### MOTIONS

##### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Government House Leader):** I move that, notwithstanding any standing order, the House will meet on the morning of Wednesday, May 4, 1994, for the consideration of private members' public business and that the House will not meet on the morning of Thursday, May 5, 1994.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

1520

#### PETITIONS

##### KETTLE ISLAND BRIDGE

**Mr Gilles E. Morin (Carleton East):** I have a petition addressed to the Parliament of Ontario:

"Whereas the government of Ontario has representation on JACPAT (Joint Administrative Committee on Planning and Transportation for the National Capital Region); and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island, which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of citizens in the Ottawa region, have passed motions rejecting any bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or at any other location within the city of Ottawa core."

I affix my signature to this document. I'm also sending to the Minister of Transportation and to the Minister of Municipal Affairs cards that were sent by my constituents.

#### HEALTH CARE

**Mr Peter North (Elgin):** I have a petition that says:

"Save our medicare plan. I believe we have the best medical system in the world. Skyrocketing costs and abuse are going to kill it. I believe one way of saving what we have is a fee for service, payable by each patient."

It's signed by a number of constituents in my riding and I put it forth to you.



## SEXUAL ORIENTATION

**Mr Rosario Marchese (Fort York):** It's my pleasure to present a petition signed by 350 electors. It reads:

"Whereas it is a basic right of every adult human being to form a committed spousal relationship with another adult person of their choice under the protection of the law and without discrimination based on whether the individuals are the same or opposite gender;

"Whereas persons in this province who are members of same-sex families are improperly denied basic, fundamental protection, freedoms, rights and advantages accorded to families solely because they are not of opposite sexes;

"Whereas the Ontario courts and tribunals, the Ontario Law Reform Commission and the Parliament of Europe have found that the denial of these rights is discriminatory and unfair; and

"Whereas an incorrect perception has been generated that members of faith communities oppose ending such discrimination;

"We, the undersigned, as members of faith communities, support the extension of full benefits and responsibilities accorded to heterosexual couples to persons in established same-sex relationships."

I affix my signature to that.

## JUNIOR KINDERGARTEN

**Mr Ted Arnott (Wellington):** My petition is to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the previous provincial Liberal government of David Peterson announced its intention in its budget of 1989 of requiring all school boards to provide junior kindergarten; and

"Whereas the provincial NDP government is continuing the Liberal policy of requiring school boards in Ontario to phase in junior kindergarten; and

"Whereas the government is downloading expensive programs like junior kindergarten on to local school boards while not providing boards with the funding required to undertake these programs; and

"Whereas the Wellington County Board of Education estimates that the operating costs of junior kindergarten will be at least \$4.5 million per year; and

"Whereas mandatory junior kindergarten programs will force boards to cut other important programs or raise taxes; and

"Whereas taxes in Ontario are already far too high;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government of Ontario cancel its policy of forcing junior kindergarten on to local school boards."

I am very supportive this petition and have affixed my signature to it.

## EMERGENCY SERVICES

**Mrs Irene Mathyssen (Middlesex):** I have a petition from Middlesex constituents who utilize the emergency services at Four Counties General Hospital in Newbury. Approximately 1,600 people dependent upon the services of Four Counties General Hospital petition the Legislative

Assembly to call upon the Ministry of Health and the Ontario Medical Association to resolve the issue of emergency medical coverage in rural emergency departments and ensure that rural residents have the adequate emergency care to which they are entitled. I have signed my name to this petition.

## SEXUAL ORIENTATION

**Mr David Tilson (Dufferin-Peel):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a union between a man and a woman are under attack by Liberal MPP Tim Murphy and his private member's Bill 45; and

"Whereas this bill would recognize same-sex couples and extend to them all the rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no PC support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently with the legislative committee on administration of justice and is being readied for quick passage in the Legislature; and

"Whereas this bill has not been fully examined for financial and societal implications;

"We, the undersigned, petition the Ontario Legislature to stop this bill and future bills which would grant same-sex couples the right to marry and to consider its impact on families in Ontario."

I have signed this petition.

## FIREARMS SAFETY

**Ms Jenny Carter (Peterborough):** I have a petition addressed to Ontario Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

This petition is signed by about 300 Ontario citizens.

## SEXUAL ORIENTATION

**Mr Drummond White (Durham Centre):** I have a petition here from the Oshawa branch church of the North York Chinese Baptist Church, brought to me by

Ivy and Donald Yan from Whitby and signed by a number of hardworking Chinese Christians. This petition is to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, and they are concerned with a Liberal bill, Bill 45, and they want to express their concerns about that bill and about its effect on their families.

**Mr Gordon Mills (Durham East):** I have a petition signed by almost 1,000 people in the riding of Durham East and the surrounding area.

"Whereas traditional family values that recognize marriage as a sacred union between men and women are under attack by Liberal MPP Tim Murphy and his private member's Bill 45; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no PC support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently with the legislative committee on the administration of justice and is being readied for quick passage in the Legislature; and

"Whereas this bill has not been fully examined for financial and societal implications;

"We, the undersigned, petition the Ontario Legislature to stop this bill and to consider its impact on families in Ontario."

#### CASINO GAMBLING

**Mr Ron Hansen (Lincoln):** "To the Legislative Assembly of Ontario:

"Whereas the issue of legalized casino gambling is a sensitive issue; and

"Whereas 'This government has said it will not put a casino anywhere there is not overwhelming support' (written statement by NDP MPP Margaret Harrington of Niagara Falls presented at the September 2, 1993, public hearings of the standing committee on finance and economic affairs regarding Bill 8); and

"Whereas we believe that the city council of Niagara Falls, Ontario, has not received a mandate to introduce casino gambling from the people of Niagara Falls at the last municipal election;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We, the undersigned, who are opposed to casino gambling, request that the Legislative Assembly of Ontario not allow the city of St Catharines to become a candidate for a gambling casino unless there is broad-based public support for such a facility, which we are requesting to be determined through a referendum vote by the citizens of Niagara Falls."

I put my signature to this petition.

#### CANCER TREATMENT

**Mr James J. Bradley (St Catharines):** "To the Legislative Assembly of Ontario:

"We, the undersigned, do hereby petition the Legislative Assembly of Ontario as follows:

"That the Legislative Assembly urge the Minister of Health to respond forthwith to issues raised in the Liberal task force on cancer care, including the urgent need for radiation equipment, addressing shortages in trained personnel and providing adequate information and non-medical services for patients."

This is signed by several residents of Metropolitan Toronto.

#### FIREARMS SAFETY

**Mr Larry O'Connor (Durham-York):** I've got a petition sent to me by the Ontario Federation of Anglers and Hunters:

"To the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to the Ministry of the Solicitor General's decision on the firearms acquisition certificate course and examination; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own:

"We, the undersigned, petition the Legislative Assembly as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require first-time gun purchasers to take the new federal firearms safety course and examination."

I've got about 10 pages of these, and I'll just pass these on to the table officer.

1530

#### LAND-LEASE COMMUNITIES

**Mrs Irene Mathyssen (Middlesex):** I have a petition on behalf of my constituents from Twin Elms in Strathroy, who petition the Legislative Assembly of Ontario as follows:

"Whereas Bill 21 has received second reading in the Legislative Assembly of Ontario; and

"Whereas Bill 21 will provide needed protection to owners of mobile homes in mobile home trailer parks and owners of modular homes in land-lease communities; and

"Whereas many owners of mobile homes are threatened with eviction and loss of their investment in their mobile home by the action of their landlord,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To proceed as expeditiously as possible with third reading of Bill 21."

I have most certainly signed my name to this petition.

#### SEXUAL ORIENTATION

**Mr Steven W. Mahoney (Mississauga West):** "To the Honourable the Lieutenant Governor and the Legislative Assembly:"

*Interjection.*

**Mr Mahoney:** You don't need to heckle petitions, for goodness' sake.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:



"Bill 55"—which, I would add, has not been formally withdrawn from this place—"would make it illegal, with fines of up to \$50,000, for people to make any public statement, written or oral, which ridicules, demeans or discriminates against a person on the grounds of sexual orientation"—

**Mr James J. Bradley (St Catharines):** Is that Don Cousens's bill?

**Mr Mahoney:** It is Don Cousens's bill.

"This is a grave threat to free speech in a democratic society.

"Mr Cousens's Bill 55 is also an attack on freedom of those religions which do not condone homosexuality, ie Jewish, Muslim, Hindu, Baha'i, Christian etc.

"We want to maintain our basic right to disagree with homosexuality, which in no way should be equated with hatred.

"We have moved away from a position where homosexuals and other special-interest groups are no longer content to express their ideas, but demand that contrary views be suppressed with stiff penalties.

"At the same time, these special-interest groups will be allowed to teach their controversial alternative lifestyles to youngsters in the classroom, thereby proselytizing children with their viewpoints without allowing for differing opinions.

"Therefore, we request that the House refrain from passing Bill 55."

#### ENTERPRISE PUBLIC SCHOOL

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** I rise to present this petition on behalf of the Honourable Fred Wilson, member for Frontenac-Addington, from a number of his constituents. The petition reads:

"To the Legislative Assembly of Ontario:

"We, the undersigned, taxpayers of Lennox and Addington, register our opposition to the board motion to twin Enterprise Public School."

The member for Frontenac-Addington has affixed his name.

#### GAMBLING

**Mr James J. Bradley (St Catharines):** "To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party government has had an historical concern for the poor in society who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gamb-

ling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

I affix my name to this petition as I am in agreement with it.

#### ORDERS OF THE DAY

##### CORPORATIONS TAX AMENDMENT ACT, 1994

##### LOI DE 1994 MODIFIANT LA LOI SUR L'IMPOSITION DES CORPORATIONS

Resuming the adjourned debate on the motion for second reading of Bill 146, An Act to amend the Corporations Tax Act / Projet de loi 146, Loi modifiant la Loi sur l'imposition des corporations.

**The Deputy Speaker (Mr Gilles E. Morin):** I believe that when we adjourned the debate the last time, we had two more questions or comments to Mr Phillips's remarks. Are there any questions or comments?

**Mr James J. Bradley (St Catharines):** I well recall that the remarks made by Mr Phillips were extremely important in that they pointed out that to derive not only the amount of revenue that this legislation might produce but a much greater amount of revenue, all government had to do was simply close a number of loopholes.

There have been significant studies done in this direction. As I recall, last week when Mr Phillips was speaking on this, what he had to say at that time was that when, as the government calls it, the Fair Tax Commission—I call it the NDP Tax Commission—reported, one of the things it dealt with was this kind of legislation.

There was division obviously within the people who were on the commission as to whether it was advisable to move forward with such legislation, but they could not agree to it, and the reason was that they said there was a better way of doing it and that was to close some loopholes.

They said that at the present time, as Mr Phillips has said, governments have set out programs that encourage business to do certain things with what are potentially profits; that is, to reinvest those profits so that they would in fact provide new job opportunities. There isn't a member of this House at this time who wouldn't like to see those new job opportunities.

Second, they could be in a position of enhancing the remuneration of those who are in their employ, and of course the government can receive from that income taxes, or if the money is in the hands of those people, the government can receive sales taxes if they are spending that money.

So I think the suggestions that were made by the

member for Scarborough-Agincourt, Mr Phillips, were very good observations. They're very accurate observations, and the government should certainly take them into consideration this afternoon and beyond today.

**The Deputy Speaker:** Are there questions or further comments? Further debate?

**Mr David Tilson (Dufferin-Peel):** I would like to make a few comments with respect to Bill 146, which basically involves two issues: One is the minimum corporate tax, as well as the issue of tax-deductible meals and entertainment expenses being reduced from 80% to 50%.

It is interesting that this bill deals with budget matters that go back to the 1992 and more specifically the 1993 budgets. The Minister of Finance has indicated that his budget four days hence, which itself is an irony—we're now debating a bill involving the past two budgets when we're about to introduce a budget this coming Thursday, which the Treasurer indicates is going to help small business. He has indicated that he hopes this forthcoming budget will help small business, the very group of people who are creating jobs in this province. So it is ironic with that as well that we are now about to embark on passing Bill 146.

Bill 146, which replaces two other bills, was just introduced on March 30 last, but it does replace Bill 66 and Bill 133, and no question, it creates something of a tactical problem in terms of voting on the legislation, since it contains corporate tax decreases provided in the 1992 budget, but as I said, more importantly, provides for the implementation of the corporate minimum tax, as was proposed in the famous, or notorious rather, NDP Agenda for People, which was the platform of their last election.

1540

The NDP has indicated that this is a tax that's coming, and it has indeed arrived. Of course, it was proposed in the 1993 budget. As well, tax-deductible meals and entertaining expenses are reduced from 80% to 50%. I am sure the members for the New Democratic Party will say that this is the same level as is in Quebec and in the United States. In fact, I think the 1994 federal budget paralleled this move as well, so it's not something that's new, although I guess the main crunch of my remarks is that clearly small business is hurting, the whole operation of small business is hurting, and it's a very strange time to bring it about when small business is trying to develop in this province.

Now, the bill indicates that the tax, if I could deal specifically with the minimum corporate tax, applies to firms with gross revenues of more than \$10 million a year or total assets of more than \$5 million. I suppose the Minister of Finance has indicated, "Oh, well, it mainly applies to the big companies that are trying to get a hold of tax loopholes." But when you think of what small businesses own, whether it be large amounts of capital or large amounts of real property, it doesn't take long for those small businesses, which may be struggling to keep alive and struggling to keep employment going in this province, to have assets that total \$5 million. I think that if the stats were looked at, we would see that there would be a large number of small businesses that this particular

piece of legislation is going to apply to, although the government has indicated that the corporate minimum tax will apply to only 10% of Ontario firms. I hope they have stats for that, because I think it's going to apply to a lot more.

Although it's been said before, I think we should be clear how exactly this corporate minimum tax is going to be phased in. As of January 1, 1994, it will be calculated at 2% of the average book income; in 1995, at 3%; in 1996, at 4%. It has been said in the media reports and elsewhere that it's expected it will generate \$100 million per year.

The other interesting thing that I think we should all realize is that it's not included in the 1993-94 provincial revenue projections, which means, I suppose, to be cynical, there's a nine-month window to flee the province, if you really are cynical about how a bill is affecting the way that you operate.

I would like to refer to some comments that have been made about the Treasurer and his philosophy, because you have to look at his philosophy—not specifically with Bill 146, but his philosophy to get the economy in this province back on track. There's no question that the major concerns of us all, of all three parties in this place—or members of this Legislature, which would include independent members—are with the issue of unemployment. When saying that, you have to look at the effect that Bill 146 is going to have on those businesses that are providing employment to this province. The Treasurer has said, "Oh, well, we're just trying to fix up tax loopholes," as if, of course, the province of Ontario doesn't follow loopholes. I mean, to be cynical, we look at what the government did with respect to the GO Transit and taking a junket to Bermuda to work out some strange transaction there simply to take advantage of certain laws.

I guess I look at small businesses and corporations that are trying to create capital, to create a profit, to reinvest in capital, to reinvest for the purposes of expanding, to create more jobs, and here we are with Bill 146, putting a corporate minimum tax on it, whether they're making a profit or not or the size of their profit, on a company that perhaps would be reinvesting in this province and reinvesting in jobs in this province. So the rationale is questionable.

There was an article in the Windsor Star, and I suppose this type of comment has been referred to throughout the province, the minister saying that things are looking up in this province. There was an article of April 7 in the Windsor Star where the Minister of Finance said that things are looking up. He said his words may be cold comfort for the more than 10% of the population who are unemployed, but he said the economy is improving.

The fact of the matter is that this employment issue continues to exist. The Jobs Ontario adventure that the government has got us into has failed miserably, and if he doesn't do something with respect to encouraging small business to reinvest in this province, to increase the size of its operations, then this province is in big trouble.

It's for that reason that I and members of my caucus are opposed to Bill 146, because it's discouraging the



doing of business in this province. We want companies to invest, small and large. We want companies to expand so that badly needed jobs can be created in this province. Bill 146 does nothing but discourage the promotion of jobs and of expansion in this province.

Getting back to this article, Mr Laughren said that he gets the impression that with the sharp dip in the stock market and rising interest rates, people are beginning to feel pessimistic again about the future. Then the article concludes by saying: "Laughren said unemployment is the biggest nagging problem facing Ontario. 'We should be fretting about the fear of inflation. We should be doing what we can on the job side.'" If he believes in that, if he believes that what we should be doing is what we can do on the job side, then he shouldn't be implementing these 1992 and 1993—mainly 1993—implementations of the budget and the corporate minimum tax, because it clearly is not going to increase the job creation in this province.

I tried to find some different resources as to what jobs are leaving the province, what companies are leaving the province. There are periodically articles in the media across this province that indicate where different companies are going.

They're going for any number of reasons, and I'm sure it's not specifically Bill 146. It could be tax measures that the federal government's put forward, it could be tax measures that the provincial government's put forward, but the fact of the matter is that Bill 146 is part of this mosaic of making it very, very difficult to do business in the province of Ontario. I can tell you that you have to start somewhere stopping this practice of making it difficult to do business in the province of Ontario.

There was an article in the Toronto Star on April 23 which talked about job losses specifically in the city of Barrie, although I think this article could apply anywhere in this province. It talked about a tool plant that had moved to the United States, 100 jobs moved there to the United States, and then it went back and talked about the number of job losses there have been in that area over the last number of years.

There's no question that these losses, as I indicated, cannot be attributable to Bill 146, but the overall piece of the puzzle which Bill 146 is indeed causing that.

Quoting from the article, "Cooper Tools, one of the last survivors of this city's manufacturing base"—and that's Barrie—"is moving most of its operations to North Carolina." That seems to crop up more and more as to the number of businesses that are moving to that area.

**Mr Kimble Sutherland (Oxford):** Does that mean the end of industries?

**Mr Tilson:** Well, they're moving to North Carolina, in answer to your question. I'm hearing specifically from businesses that are moving to that specific state and they're moving because of the strange tax laws this province has and, to be quite fair, our country has. We should be stopping that move.

"The decision to move to the low-wage US south spells the end of about 100 jobs at the Barrie factory, which opened in 1948.

"The closing is the sixth major blow to this city since 1987. Nearly 2,000 jobs have been lost in the last six years.

"Black and Decker closed its plant here in 1987, laying off more than 300 workers. Other plant closures include Hill Refrigeration (in April 1993, 140 jobs); Tambrands (March 1992, 190 jobs); Kolmar (December 1991, 210 jobs) and General Tire (September 1991, 820 jobs).

All of these businesses moved to the United States—every last one of them—"which have weak minimum wage and severance laws and low rates of unionization."  
**1550**

How does that apply to Bill 146? Probably not much, but I will say that you have to look at all of these things as to why businesses move. There is no question that all of these businesses that are moving are looking at our tax laws, and to simply put a minimum tax on corporations, specifically at the low end of \$5 million, is inexcusable.

I think I will be interested, as will all of us, as to what the Treasurer will be doing this Thursday. Perhaps he's going to reverse this policy. I hope that by that time we will have voted against Bill 146 and that it will be defeated, although knowing the way this place works, it will be carried with the government majority.

The whole philosophy of doing business in this province: Things aren't what they were five years ago, four years ago, three years ago; they're not the same. Yes, to be fair to the NDP, it happened to take power at a time the recession was coming to the fore, and to be fair to the government, it's not the sole cause of all our woes. On the other hand, you look at what has been going on in the other provinces and it's clearly not the same type of climate in these other provinces that exists in this province, so something has been strangely happening since 1990.

The issue of the AAA credit rating we lost: We have been spending, the province of Ontario has been spending millions more to service a net debt which in Ontario is at \$70 billion and this was after we lost the AAA credit rating. Right now we're at a AA- and bond rating agencies have put the province on alert. They're going to be looking at what the budget is going to be doing with respect to its philosophy, and after that we could simply go to an A credit rating, putting our once very powerful province in a very serious position economically. We have to be careful with all the bills we're passing in this House, the money bills, and Bill 146 is no exception.

You can't ignore the fact that since this government came to power it has had two of the largest tax grabs since Confederation: \$1.6 billion in 1992 and \$2 billion in 1993, which have pushed our top marginal income tax rate to 53.19%, rather astounding figures as to where this province is going. You have to look at these things, the issue of doing business, of even living in this province. We're paying for services that we can't provide and to be specific, in many cases we don't need. The waste is astronomical and no question that this bill, I'm sure the Treasurer hopes, will pay for many of these things but I can tell you that if this bill passes, it's going to create more harm than not.

We will wait anxiously as to whether or not this budget on Thursday will spark a downgrade of our credit rating. No question that Ontario is the key to the country. It's predicted that the downgrading may apply not only to Ontario but across the country and it will be because of the financial policy of this province. I can tell you that the other provinces across this great land are looking at the fiscal policies of the Minister of Finance for the province of Ontario.

On the issue of the corporate minimum tax, to spend a bit more time on it, the Canadian Federation of Independent Business has been referred to by various members in this House, including myself, on other bills and on this bill, specifically with the employer health tax. They provide wonderful research that we should consider before we pass this type of legislation. They have put forward statistics that show that the corporate minimum tax does in fact hit small businesses in Ontario. This is what they say: "Our corporate minimum tax will stop big profitable companies from taking advantage of tax preferences to the point where they pay little or no corporate income tax."

What are they doing? For some companies there are different ways that they're paying the taxes. This government hasn't acknowledged any of the contributions they are making. I have to say there are other ways of going after them than starting up a whole new type of tax.

There may be some matters in which ingenious accountants have been trying to create an avoidance of tax in the province of Ontario, but this corporate minimum tax is not the way to solve it. There's no question that we want businesses to be successful, that we want businesses to be profitable. Why? It isn't all going into the hands of the people who run those corporations. They have to reinvest in capital. They have to reinvest for the purposes of expansion and for the purposes of creating jobs, and we should never forget that.

When we look at what Ontario is doing in this bill, it's creating a bigger and bigger hole for itself right now with the passage of this bill. We're paying about a billion dollars a month, and we're overspending; that's the amount this province is overspending.

The government of Ontario is clearly spending beyond its means. You have to stop it. You don't stop it by taxing organizations such as the corporations that are trying to create an economic environment in this province that will increase jobs. That's not the way to stop it. Clearly, this government is spending as to what we're capable of living and affording. In the last three years, we've seen Ontario's credit rating go down three times. I hope it's not going to go down again after this budget.

Bob Rae's government never did anything about the huge hiring practices the previous Liberal government had. The Liberals added about 10,000 more public servants to the payroll during their five years. I don't think we have statistics as to what the New Democratic government has, but there were 10,000 added. How many of those 10,000 employees who were adding during the Liberal reign have been removed?

We can't afford the bureaucracy that we have in this province. We simply can't afford it, and we know we

can't afford it. We've seen with the social contract that we can't afford it, and now we're trying to pay for this overspending with such bills as Bill 146. It's almost as if it's a war on businesses that make a profit. It's as if we're trying to put businesses down. If they're making a profit, we're trying to put them down, and I don't think that's the way to keep this province moving as far as jobs are concerned.

What we should be doing in this province is creating an economic climate that will encourage business, that will encourage the hiring of employees for new jobs, for the expansion of existing firms. If you were a firm, to use the example, and you had \$5 million in assets, why would you expand in the province of Ontario? Why would you even stay here when you have to keep looking at this and the other taxes, the tax that I think we're voting on this afternoon, the employer health tax, and other types of taxes? Why would you stay and do business here in Ontario?

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You can't just come along and say, "You're employed." You've got to be both pro-employee and pro-employer. I think that's the problem with this government. If you're an employer, you're evil, and we're going to tax you because it's evil to make a profit. That's not the case. We want businesses to make a profit in this province, and Bill 146 is as much as saying that you're hiring accountants, that you're wheeling your way around and avoiding the issue of paying taxes.

I would encourage the members of this House to vote against this bill, Bill 146, because of the fact that it's against good business in Ontario.

The other issue, I suppose, that we should spend some time—if I could say one more issue, I guess that's the issue of the perception of fairness. Ernst and Young, who we have all heard of, has said that the purpose of the corporate minimum tax is "to maintain the perception of fairness in the Ontario corporate income tax system." The perception of fairness: Of course, that was said by the Minister of Finance in his opening statement with respect to this piece of legislation.

In other words, the government is more interested in the perception of fairness. That seems to be his rationale with respect to this bill, although the real reason of course is to squeeze money out of the system to pay for a government that's going broke. But it is a strange philosophy to take, that you're more interested in perceptions than with respect to the real issue of trying to work out a problem that we're trying to do, and that is to balance the books and to cause people both within and outside of Ontario to have confidence in Ontario's fiscal policy. That's the problem. The average person who looks at this bill says: "Oh, it's just another bill. Who wants to invest in Ontario? It's just another bad business bill in Ontario."

All this government's trying to do, I would submit, is to create a public relations scam that will satisfy the needs of the unions and say, "Well, you're going after business." That's not the way to encourage jobs in this province; that's not the way to encourage people to come to this province and invest.



The other issue, of course—I have a very few minutes left—is to talk about the issue of the meals and the expense allowance, of reducing that in this province. I can tell you that it's going to affect quite a large number of people, particularly the entertainment business, the hotel and the restaurant business.

The tax-deductible meals, as I indicated, are reduced from 80% to 50% and the hospitality industry will be affected by that policy. There's just no doubt about it. The tourism industry will be affected. There is the very fact that businesses do move around in this province; they do have meals outside this province. You have to pay for their employees to have meals. They try to encourage people to reinvest with their companies and part of that is done in the issue of hospitality. Again, it's an anti-business measure. It's as if business is ripping off the system with respect to hospitality, and I for one don't think that's particularly wise with respect to this province.

We in the Progressive Conservative Party have opposed the introduction of a corporate minimum tax, arguing in summation that it has sent the wrong signal to investors and that it has compounded the cumulative negative impact of a decade of tax increases on the Ontario economy.

You have to look at what's been going on for the last 10 years. You have to look at all of the taxes, not just by the New Democratic Party but the Liberal Party. Somewhere, the taxes have got to stop. They simply have to stop.

I know we have to pay for all these services, which I suppose all the interest groups will say we need. But if you don't do something, the credit rating of this province is going to fall. We're going to have to spend more and more and we're going to become a third-rate nation. It's creeping more and more with the passage of bills such as this.

The other issue which some members have spent some time on and others haven't is that we in the Progressive Conservative Party have described this tax as a nuisance tax, since the compliance and administration costs will likely exceed the revenue yield. That's something you've got to look at with all of these taxes: What is it going to cost to administer? It's going to cost a lot to administer, not only from the government's perspective but from that of business. It's another cost. So there's the issue of paying the cost, and it's more paperwork, it's more grief, it's more bureaucracy, it's more spending that this government doesn't need to be getting involved in.

We're opposing the corporate minimum tax for those various reasons. The corporate minimum tax certainly won't be welcomed by Ontario's manufacturing and resource section. Ontario industry has been showing some recovery in the last little while, certainly in the first quarter, and the introduction of taxes such as Bill 146, there's no question, will hinder the long-term prospects for investment in the province of Ontario.

The tax will also, in conclusion, serve as an additional cost of doing business in the province of Ontario, and I would submit, may become a factor in decreasing potential investment.

#### **The Deputy Speaker:** Questions or comments?

**Mr Sutherland:** The member for Dufferin-Peel has tried to imply that because this government has said we're going to bring in the minimum corporate tax, somehow that's turning business opportunities away from the province of Ontario. I just want to take the member to task and set the record straight.

For example, in my colleague's riding of Lambton, the Tender Tootsies plant in Watford has expanded. My colleague for Lincoln was telling me about the CanWeb Printing plant in Grimsby. We know that the member for Cochrane South, in the response, was talking about new mining activity in his riding. Through the work of the Minister of Northern Development and Mines and the Minister of Natural Resources, we have new mills opening up in northern Ontario. In my riding I think of Kelsey-Hayes and its expansion.

I think of the over \$4 billion of investment by the auto industry in this province since this government was elected, and I think of other examples. I think of Dimona Aircraft that came to London. I think of Husky, which is expanding. I think of all these companies—GM Diesel in London—that are hiring new people. These people are hiring and they're expanding because they know Ontario continues to be a good place to invest.

They also know that we have a very qualified workforce, that the skills of that workforce are increasing tremendously. One of the reasons too is the great success of the Jobs Ontario Training program, because that program is very specifically designed to meet the needs of business, to train new workers who may be on social assistance and need their skills upgraded, but also to train their existing workforce to fully develop a training climate and a training culture in the business community.

The member for Dufferin-Peel is wrong. Businesses want to invest. They are investing and they're hiring many new people in the province of Ontario.

**Mr Ted Arnott (Wellington):** I'm very pleased to rise to give credit to my colleague the member for Dufferin-Peel for his fine presentation on Bill 146, but I must mention the comments of the member for Oxford, who just previously stood up and told us everything is wonderful in Ontario. Well, everything is not wonderful in Ontario.

Yes, there have been some amounts of investment in the last number of years. We in the opposition have never said there's been no new investment in Ontario. We've never said that. We've said that if the government were interested in encouraging investment, if the government were interested in reducing the tax load, reducing the regulatory burden, then investment in Ontario, the job-creating investment we need, would probably go through the roof and the unemployment rate, which is hovering in excess of 10% in Wellington county, would go down. If the member for Oxford sincerely believes the unemployment rate in Ontario today is acceptable, he is sorely mistaken.

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The member for Dufferin-Peel made a number of excellent points with respect to his contribution to this

debate. I will be voting against this minimum corporate tax, not because I believe that profitable corporations shouldn't pay tax—in fact, I believe the profitable corporations should be paying tax in Ontario—but because I believe we need to send a strong message to business people, to people who have the means to invest in jobs in this province, that we are not going to levy any new taxes in this province. That's what the Treasurer's talking about for the budget. He's said he's got to send out a message to small business; he's got to send out a message that Ontario is open for business. This bill, coming the week of the budget, runs contrary to that argument. As I say, I believe profitable businesses should be paying their fair share of tax, but this is not the way to do it.

There's another major problem with this bill, and that is the reduction of the write-off for entertainment from 80% to 50%. That will harm the hospitality industry. They talk about the fat cats who won't be able to write off their meals, but the government members forget about the waiters and waitresses, the cooks and the maintenance people who will lose their jobs as a result of this new initiative.

**The Deputy Speaker:** Questions or comments?

**Mr Jim Wiseman (Durham West):** This is really quite something. Here we have a Tory—a Tory—trying to portray himself as somebody who really cares about businesses in this country, when it was the Tory government that inherited in 1984 a tax revenue base of about \$74 billion per year, and by the time they were finished had pushed that to \$120 billion a year but had not even managed to eliminate the deficit. They had managed to expand the deficit by over \$30 billion per year.

It's almost incredible that the Tories should stand here pretending to be the defenders of small businesses when they jacked the interest rates to 15% or 16% and sent the dollar, in 1987, from 72.5 cents to 89 cents. That cost countless jobs, thousands of jobs. Businesses left this country because of that and moved to the United States because of their financial policies.

We have other examples of the great acumen of the Tories: in Saskatchewan, for example, where they inherited a budget that was balanced, for all intents and purposes, with no accumulated deficit. They inherited that from the NDP, and they ran that to an \$18-billion deficit for 800,000 people in a matter of about 12 years. Now we're looking at what's happening in Nova Scotia after Tory governments had run their budget deficits, accumulated deficits, way up into the stratosphere.

But beyond all credibility, it's a Tory GST. Come on, folks. They cannot stand in this place and say they don't support taxes.

**Mr Steven W. Mahoney (Mississauga West):** On a point of order, Mr Speaker: I think it would be nice to have a quorum in here to hear the final two minutes and the balance of the speeches for the afternoon.

**The Deputy Speaker:** Would you please check if there is a quorum.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Deputy Speaker:** Further questions or comments? If not, the member for Dufferin-Peel, you have two minutes.

**Mr Tilson:** All this rhetoric from the government is very fine, the shots at the federal government, but the fact of the matter is that we're talking about a provincial bill that really amounts to a disincentive to invest in the province of Ontario. It's just as simple as that.

Even the final report of the Fair Tax Commission argued against the imposition of an income-based corporate minimum tax. The commission said on page 437 that while it had considerable sympathy for the motives behind the introduction of a corporate minimum tax, "We are convinced that explicit recognition and a vigorous assessment of tax expenditures will deal with this blatant unfairness in the tax system better than the application of a further corporate tax."

Notwithstanding that advice that was given by the Fair Tax Commission, the Minister of Finance has bulldozed away with respect to this legislation. When we hear the Treasurer's comments this Thursday about how he's going to encourage small business to create jobs in this province, think back to the debates on this series of bills we've been doing in the last week or so with respect to the employer health tax and the corporate minimum tax and you'll see that this philosophical system, this fiscal policy, is not going to work. This is not a way to create jobs in this province. The creation of these types of taxes is not going to create jobs; in fact, it's going to do the exact opposite. It's going to drive employers and corporations to sell their stocks here and move to the United States.

**The Deputy Speaker:** Further debate?

**Mr Mahoney:** Bill 146 is just another in the long run of tax bills this government is introducing. The difference with this one is that—would I be wrong, is it almost two years since it was introduced? It's unbelievable, actually, how long it takes this government—

**Mr Sutherland:** You are wrong.

**Mr Mahoney:** I am wrong. Well, it's a year and a bit. It's your last budget, I would say to the member for Oxford. Here we are, Tuesday, Wednesday, Thursday, three days away from introducing the long-awaited, probably final budget of this Treasurer—with any luck at all, the final budget. We're three days away from the introduction of that and we're still debating a bill that was introduced in the last budget; rather curious. The public doesn't understand that. They say, "Why can't these guys get their act together?"

The facts are that all this government does is pass legislation by time allocation and closure. They cannot manage their agenda. They cannot cooperate in any way with the people who are affected, regardless of what the issue is.

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** What nonsense, Steve. You guys are holding up all the legislation.

**Mr Mahoney:** It's not nonsense. I wish the minister



of casinos and keno, or whatever it is she likes to play in her spare time—the minister of gambling leading this province down that rather interesting road is over there chirping away at everything I'm saying.

Madam Speaker, nice to see you in the chair.

The reality is that the public does not understand how a government can be so incompetent. But the reality is that they are consumed by mistakes, consumed by errors and consumed by ministers doing things they shouldn't do.

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**Hon Ms Churley:** You just hold everything up and play with our lives. You're arrogant, Steve, really arrogant.

**Mr Mahoney:** Well, it's true, and the interesting thing—now I'm getting the finger. Don't wag your finger at me.

**Hon Ms Churley:** Patronizing.

**The Acting Speaker (Ms Margaret H. Harrington):** Would the member address his remarks to the Chair.

**Mr Mahoney:** Madam Chair, the man who is putting forward Bill 146 is the current Treasurer of the province, and today, in fact last Thursday, it was brought out that the minister responsible for this bill sees no problem in appearing before a government-appointed body on behalf of a proponent in his riding to encourage a \$43-million benefit to go to his constituents.

**Mr Sutherland:** On a point of order, Madam Speaker: I would remind you that we are dealing with Bill 146, and I would hope you would remind all members of the House to try to keep their remarks related to that.

**The Acting Speaker:** Thank you. Would the member please proceed.

**Mr Mahoney:** I understand that they don't want to talk about those issues. I don't blame you. If I were over there, I would jump up on a point of order every time that kind of interference was brought up. But it is related to 146, because 146 is a tax bill put forward by the current Treasurer, the Minister of Finance. It's the Minister of Finance who's sitting in his office in budget meetings today, hurriedly dotting i's and crossing t's and getting ready to bring in more taxes.

They can say "No new taxes," but read between the lines. Just look at the fees they're going to charge. Just look at some of the things this government has already done, collecting three, four, five years' worth of driver's licence fees in one shot so the revenue comes into this year and is gone for the next three, four or five years.

The kind of smoke and mirrors this government has used is going to leave the next government—and I have a suspicion who they may be—with a more than just serious problem. They will have sold the computers and there will be lease payments to make. They will have sold some of the furniture and there will be rental charges to pay. They will have sold a number of the office buildings—can you imagine that?—right here in downtown Toronto and who knows where else. Maybe in Sault Ste Marie; maybe in your own community.

Government assets, bought and paid for by the taxpayer, are now going to be sold so this government can claim the revenue to try to keep its deficit from going any higher than it already is, and we're going to have to service the debt on the sale. We're going to have to finance these things, and we're going to have to lease them back, we're going to have to pay rent. I won't be surprised if you sell the desks and the chairs in here.

What's really interesting is the GO trains. They're selling the GO trains, and they're selling them to offshore investors. Can you just imagine? The New Democratic Party, the defenders of nationalizing corporations in Ontario and Canada, from British Columbia to Newfoundland. These people, this party, have stood on platform after platform to say we must increase Canadian ownership in our corporations and our assets and our natural resources and our water and everything else that is politically sexy for them to say. But it's okay: "We'll sell the Japanese our GO trains. No problem. That's different."

We've bought and paid for these things. We own them now. And you people over there are allowing this Finance minister to actually sell off the assets of the taxpayer of the province of Ontario so he can put a good foot forward and a good show into his budget to keep his deficit below \$9 billion.

I'm surprised that the Minister of Transportation has not recommended we sell all our roads. We know about the revenue tactics Transportation has introduced with, "Smile, you're on photo-radar." We know this is nothing more than a tax grab and a financial boondoggle for this government to generate more money from the Minister of Transportation. I congratulate you for being so creative. I'm sure the Treasurer thinks you're wonderful for coming up with this.

We know that you've entered into some kind of an agreement—there's a little bit of a cloud over the tendering; we're not quite sure about this one yet; maybe there's a brown envelope or two to come under the door—to build the long-awaited Highway 407. I might congratulate the minister for at least putting forward the proposal on Highway 407, much needed throughout the north part of the GTA, much needed to relieve traffic off Highway 401.

But we don't know what you did. That's all that bothers us. We don't like secretive deals here in the opposition and we're just a little bit nervous. I think we may have a point of order over here from the minister.

**The Acting Speaker:** Point of order, the Minister of Transportation.

**Hon Gilles Pouliot (Minister of Transportation):** Very briefly, Madam Speaker, one cannot sit idly by, with the highest of respect, and let people without a sense of responsibility impute motives, continuously go from minister to minister to ministry questioning, yes, the integrity of people. This is not the way this honourable House operates; this is not the way the people of Ontario operate. I don't think humour is becoming to the member opposite. I think it's a disservice to all of us here and the people we represent.

**The Acting Speaker:** It is not strictly out of order.

The member does have a different opinion. I would ask him to be cautious in his remarks.

**Hon Ms Churley:** And apologize, Steve.

**Mr Mahoney:** I'll tell you what, to the minister of casinos, you should apologize because what your government is doing is really and truly a disgrace.

When I talk about some of these things, it's what people—I mean, this is Monday afternoon. I've spent the weekend in my riding, as all members opposite have, and I hear from people about their concerns. I know that we're talking about taxes here today, but they're also concerned about integrity or a lack of it in any government. If you want to talk about sanctimony, this party, this group, when it was in opposition—and with respect, there are only a few of you who were here—they were the first to be on their feet. I can remember. That's right, the minister who was here cringes with some embarrassment at the thought of Elie Martel calling people over there murderers as a result of injured workers and problems with—

*Interjections.*

**Mr Mahoney:** Well, that's what he said. It's in Hansard. Those are not my words. This party, they're the ones who would lead demonstrations, who would lead charges into this—it's unbelievable to us and to the public in general how you have turned—and I hear members opposite slamming the Tories—how you have gone from the ideology of the Tommy Douglasses of this world, who would be rolling over, I can assure you, at just the thought of what you're doing, to embrace the attitudes of even Brian Mulroney, how you have become Tories, is really quite remarkable—but incompetent Tories, I might add, which causes some concern. There are some competent Tories. I'm not sure where, but there are some. The public is confused. They don't understand. They look at NDP governments from Victoria, British Columbia, to Ontario and they say: "This can't be a socialist government. Did they not believe anything they said in that document they put out to run on?" Jean Chrétien just ran on the red book. He said he was going to do what was in the book and he's doing it.

*Interjections.*

**Mr Mahoney:** You may not like him. Your partisan viewpoints are understandable. But you people put out—what was it called? Help me. What was it called?

**Interjection:** The Agenda for People.

**Mr Mahoney:** The Agenda for People—wonderful stuff.

**The Acting Speaker:** Would the member address his remarks to Bill 146.

**Interjection:** Minimum corporate tax—

**Mr Mahoney:** Minimum corporate tax is one thing that was in there, but here's what you do: As you have done with numerous other pieces of legislation, you create omnibus bills. You take a simple idea that might be supportable and you put in all kinds of things that you know the opposition cannot support and you destroy the integrity of the bill. It is a tactic that we have seen done on at least half a dozen bills or more in the past year by this government. Omnibus bills—interesting tactic.

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In this particular Bill 146, there are a number of things that the Treasurer, the Finance minister, attempts to do: Introduce a minimum corporate tax. The corporations are saying: "All right, look; we understand we have to pay taxes. We understand that. I mean, there's no free ride." But the corporations say: "Just a minute now; I already pay PIT, GST, UIC, CPP, MBT, MPT, EHT, WCB. What do I get?" You have to answer that question. What do they get for that? People are not afraid to pay their fair share of taxes. Corporations are not afraid. In fact, in my view, the management of good corporations believe and good unions believe that if taxes are put to proper use, they don't object to them being charged. But they've got to be reasonable; you can't put people out of business.

This government—I just delight when the young member for Oxford gets up to rail about all the great investment that's taken place in Ontario. You guys, you just don't get it. The number of decisions that are made—and you know what?—they won't go public, because they're afraid of retribution. They truly are.

There are number of corporations that exist here in the province of Ontario that have to make a decision whether or not to expand because perhaps they want to go into the US market. All we hear is, they stand up and they rail about GST for Mulroney, they rail about free trade and they rail about all kinds of things that they have no control over whatsoever—none. You have no control over those things. You were not elected to come here and fight battles over which you have no say. You just do it because it's your only defence. I understand that.

**The Acting Speaker:** To the Chair.

**Mr Mahoney:** Madam Speaker, why can't we deal with the issues that affect Ontarians? Mr Rae, the Premier, stands up and reads a resolution—unbelievable—just damning the feds, damning Quebec, on issues over which he has no control. But I understand and I think the people of Ontario understand the agenda, the speculation about an election.

Why would Bob Rae go to the polls when he's doing things like introducing a tax bill like 146 which has many things that affect the fishing, the manufacturing, the mining, the farming, the logging industries, many negative aspects to all of those businesses, when business—why would he go when clearly—I don't even know. Are you guys even on the Richter scale of polls? Do you even show up on the blip? I'm not sure, but you're somewhere—

**The Acting Speaker:** Through the Chair.

**Mr Mahoney:** —let's say, Madam Speaker, that the NDP is somewhere down—I'll be generous—in the low teens in popularity in the province, so why would he go?

Let me give you a scenario. There's currently an election in the offing in Quebec; we know that. There is a lot of talk about a separatist government coming into power in Quebec—

**Hon Mr Pouliot:** Stick to the bill.

**Mr Mahoney:** Yes, it is. It talks to the bill, because all of this, the political agenda of this government has everything to do, not only with taxation but with politics.



The Premier says when asked if he's politicking when he's out there handing out money that he doesn't have, \$7 million in Windsor—isn't he a hero? "Here's \$7 million, Chrysler. It doesn't matter that you made \$418 million in profit last year; we're going to give you \$7 million because we want to be nice to the auto workers."

**Mr Sutherland:** Don't forget about the—

**Mr Mahoney:** To the member for Oxford, he doesn't have the money. He doesn't have the money. He's writing cheques. There's no money in the bank and he says, "Well, no, I'm not politicking, I'm not campaigning; I'm governing"—really interesting.

**Mr Anthony Perruzza (Downsview):** Are you saying it's not okay for people to create jobs?

**The Acting Speaker:** Order.

**Mr Mahoney:** Well, I wonder. They say this creates jobs. Madam Speaker, can you answer to me why a company that made a profit of \$418 million last year is entitled to \$7 million from the taxpayer? Can you answer that question? Can anybody justify that question, other than the fact that it is nothing more than a politician buying votes with the taxpayers' money? It's an absolute disgrace. What about saying to Chrysler: "You have an obligation to keep that extra line going. You have an obligation to work with this community." No; he says, "We're going to give you \$7 million." Then what does he do? What he does is bring in Bill 146.

**Mr George Mammoliti (Yorkview):** I want to know about the SkyDome.

**The Acting Speaker:** Order.

**Mr Mahoney:** Don't talk to me about the SkyDome. You guys sold the SkyDome three times. Three times you sold the SkyDome and kept coming in with announcements in this place to say: "Look at us. Aren't we smart? We got Bobby White to make a deal and we've sold that dumb SkyDome again. Look at our revenue; it's just shot up three times." The nerve of this government is truly unbelievable.

**Mr Perruzza:** Can you tell us who bought it?

**Mr Mahoney:** I'll tell you who bought it, who bought the farm on it, is the taxpayer because of your incompetence.

**The Acting Speaker:** Would you bring your remarks back to the bill, please.

**Mr Mahoney:** What happens is, they give \$7 million to Chrysler, a company that made \$418 million, and Bob Rae goes into Sault Ste Marie. The gloating was just difficult for me.

**Hon Mr Pouliot:** What happened to the Quebec election?

**Mr Mahoney:** I'm coming back to the Quebec election. Don't worry; I'll get back around to that. This is all what it's related to, you see. He's got to go around taking credit for things he has no right to take credit for. He takes credit for saving Algoma. What nonsense. You know who saved Algoma? The men and women on the shop floor in the plant saved Algoma Steel. The market turned around and there was a debt write-off of \$700 million, gone. That's what saved Algoma. This govern-

ment wants to pretend that it was the magic, intervening, divine force that put that deal together.

Let me tell you the deal you gave Algoma: You told them that you would back up their \$100-million line of credit. You would come on after they'd used their \$100 million and provide them an additional line of credit at prime times two. What a deal.

Do you know what? They don't want to touch it. They know they cannot possibly afford it. What business today could afford to pay double prime? That's a benefit? That's something this government can take credit for?

If, in fact, Algoma Steel gets to the point where it has to dip into the line of credit secured by the provincial government, its cost of borrowing will go through the roof and its cost of debt service will skyrocket. I can tell you that they don't want to do it. The message I would say is: Thanks, but no thanks.

**Mr Perruzza:** Are you saying that saving Algoma was a mistake?

**Mr Mahoney:** Saving Algoma was nothing to do with you or with the Premier or with the Finance minister. That's what I'm saying.

**The Acting Speaker:** Take your seat, please. Order. I would ask the member to more specifically address the act before us, which is Bill 146.

*Interjection.*

**Mr Mahoney:** It does, though. You've saved Algoma, you've bailed out Chrysler, and now you're going to bring in a corporate minimum tax and just grab it back, I guess, somehow. You see, it does relate to this. This is the skulduggery of this government; this is the game-playing.

Now, let's go back to the Quebec election. It relates here. Trust me, follow me on this. There'll be a bouncing ball; you can stay with me.

Bill 146 does relate to this, Madam Speaker. That was for them, not for you; I know you would have no trouble following.

The Premier goes around giving out money he doesn't have, putting forward \$9-billion deficits, running the debt in this province from \$39 billion to \$80 billion, \$85 billion, \$90 billion by the time he is done, stripping the cupboard bare, destroying the business confidence of this province. He goes around giving out money that he doesn't have and then he taxes it back through trickery, through sleight of hand. Remember that old thing with the pea, the hand is quicker than the eye? This is the travelling Bob Rae road show: "No, I'm just governing. I'm not campaigning; I'm just governing."

You watch. He'll put together all of these tax bills, he'll put together all of these giveaways, he'll take all kinds of credit for saving things that he had no influence on whatsoever. Then you will see a separatist government in Quebec. Bob Rae will put on his Captain Ontario jacket and hat and he will go to Ontario and say: "I've got to save you, Ontario. I've got to save you from those Quebecers who are going to take all of the federal transfer payments that rightly belong to Ontario. We're not getting our fair share and therefore the feds are giving the farm away to Quebec. I'm Bob Rae and I'm going to

save you." What a phoney. What is absolutely the plan of this government—he is not governing; he is campaigning. He is using trickery. Most cynical of all, he is using the taxpayers' own money, of which they have none, to hand out goodies.

Yet we tinker around bringing in things that will reduce the corporate entertainment deduction. Ask the people in the restaurant business how they feel about reducing the deductions for legitimate business expenses. Ask them.

It's okay for Floyd Laughren to appear on behalf of a developer in his riding to try to get a \$43-million deal. It's okay for the man who signs the cheques to do that, but it's not okay, Mr and Mrs Ontario, for you to take a business prospect to lunch and deduct the expense. You can't do that.

1640

**Hon Mr Pouliot:** I thought Paul Martin did that.

**Mr Mahoney:** Well, you're doing it right here. Talk to me about the bill. You're doing it right here.

It's okay for a minister of the crown to interfere with impunity, but then they want to go and grab money back from small business—

**Hon Mr Pouliot:** Liberal Paul Martin did that in the last budget.

**Mr Mahoney:** You want to throw it back at the federal Liberals. That's your only defence. Instead of defending your decisions, the chirpers opposite continue to go on about—what did he say over there?—the Tories in Nova Scotia and about the federal government. Why don't we talk about the province of Ontario?

The thing that I guess bothers us the most out of this particular bill, aside from the fact that—it's hard to admit that there is really an overall plan, but I think there is a hidden agenda in all these things. But the thing that bothers us the most is what they're doing here, now. Just take a look at this: The companies that have gross revenues greater than \$10 million or assets in excess of \$5 million will be subject to this tax.

On the surface, you would say: "That's not bad. That goes with the NDP philosophy to make the rich pay." Maybe they're not rich, maybe they are, but they're the big guys, \$10 million in revenue increase. Really a radical idea here. Why not say to those companies: "If you are prepared to take a percentage of your profit and plow it back into job creation, back into training, back into high-tech exportable research and development products, with a Canadian maple leaf on them, that we can sell around the world, you know what? Instead of taxing you more, we're going to give you a tax break" What a novel idea, to actually say to the business community: "We, the government of Ontario, are going to provide you with an incentive to invest in our economy. We're going to provide you with an opportunity if you will enter into an agreement with us." Come on. Government can't create all the jobs.

Government does have a responsibility to be involved in creating jobs for certain infrastructure programs. We've got to build the sewers and things like that, unless you can get developers to build them as part of a devel-

opment agreement, which many municipalities, mine particularly, have been very successful at doing, but not all of them can.

We can't expect the private sector to invest money to send Hydro into northern remote parts of Ontario. There is a role for the government in providing leadership and infrastructure so that things can develop in this province in an orderly fashion. I don't deny that for a minute.

But the majority of the jobs, of the economic growth in the future and the development of the jobs for your kids and my kids will not come from government. If they do, we will not be able to afford to pay the salaries. We will not be able to sustain the cost of increased government jobs. The majority of the growth and the development in this province must come from the private sector, and why?

**Mr Sutherland:** No kidding.

**Mr Mahoney:** You say no kidding, but you continue to bring in tax after tax on the private sector. Why not give them a tax break? Simple idea. To me, higher taxes are not the way to prosperity.

**Hon Mr Pouliot:** Commercial concentration tax.

**Mr Mahoney:** Look, he wants to talk about the commercial concentration tax, which you guys tore up with great fanfare and applause, and the hated tire tax to which you did the same thing; you tore it up. Two taxes you got rid of. What did you do then? By the way, they generated about \$110 million a year in tax revenue, those two taxes.

**Hon Mr Pouliot:** Cut them out.

**Mr Mahoney:** "Cut them out. Get rid of them. Aren't we great?"

Then you brought in an insurance premium tax on every small business, on every automobile, on every home owner, on every apartment building, on every commercial development. On every single insurance policy that every Ontarian must have just to live day to day, you brought in another tax.

How much did that tax generate to the minister? Try about \$700 million. It was close to a \$600-million tax grab by this government. But because you packaged it up in getting rid of the hated commercial concentration tax and the hated tire tax and because people's insurance premiums come due at different times of the year—it was brilliant—you managed to diffuse the criticism. Until people got their bill from their insurance broker or their insurance company, they didn't realize the trickery that you had employed to take more money out of the marketplace. Where do you think this money comes from? It comes from people's pockets. When it gets into their pockets, it comes from the corporations they work for.

You can pretend you understand, but as I said the other day, the words don't match the music. There's something out of sync here. You just don't get it. Increasing taxes no longer leads to increased revenue. It really doesn't. You can see the underground economy. We had a committee do a report on it. We're talking about billions of dollars in money that people are paying in cash under the table for whatever. But you know why they are doing that? They have been forced.



**Hon Mr Pouliot:** Would you do it yourself?

**Mr Mahoney:** I'm not condoning it. It's against the law. The point is that people are so heavily taxed—we have members yelling about the GST. Of course that's a problem when you figure that if you're making a \$200 purchase, then you add 15%. People who come to this country as tourists, who are becoming fewer and fewer, are aghast. Even though they can get it back, they're shocked at the fact that they have to pay 15%. The fact that they get such a benefit from the dollar perhaps negates the problem, but they're shocked about it.

Get the message. The people will tell you this. The guy on the street, the woman on the street, the men and the women working in this province will tell you the answer. You can't increase taxes any more through one-way, through a trick or through open, honest tax increases. You can't do it and expect it to generate any more revenue. You people are wrong, this bill is wrong and we will be voting against it.

**The Acting Speaker:** Questions or comments to the member?

**Mr Perruzza:** Just very briefly in response to my honourable friend, I know his name is Steve Mahoney but it might as well be Brian Mulroney, because I look back at the budget document here. This is the former budget document. He talks about the business person who can no longer take his friend to lunch and simply have everyone else sort of pick up the cost of that. I look back at the budget document with amusement and see, from 1985, revenues to 1990 jumped from a little over \$23 billion to just under \$43 billion.

Just imagine this: In five years these guys, the Liberals, went out and increased taxes, almost doubled the tax base in the province of Ontario. Did they go after the big corporations, as my good friend says? "Oh, leave guys who make \$10 million or more alone. You can't touch those guys. They've got no money to pay." But they had no problem in raising the sales tax from seven cents to eight cents. Let the little guy pay. The little guy may not be making \$10 million a year, but he certainly can afford to pay. They just taxed everybody to the tune of about double when they took office. My good friend should take the lesson of what happened to Mulroney, because the same thing's going to happen to him and his party.

1650

**Mr Steven Offer (Mississauga North):** I too would like to rise in reply to the debate from the member for Mississauga West and to compliment the member, because I think the member is clearly reflecting the concerns raised at all quarters throughout the province of Ontario. I think the member has clearly and well articulated how many people are so concerned with the direction and the action of the current government, how many people are so concerned how this present government seems to be so out of sync with the realities of the province in the 1990s.

The previous speaker, the member for Downsview, spoke about the previous budget. I just happen to have the previous budget here and they have these things on

page 66 which are called "new non-tax revenue initiatives in 1993-94." That's from the budget that the member alluded to. I guess he didn't read page 66 of the budget, because these are these new non-tax revenue generators. That's what the minister calls them and that's what the Bob Rae government calls them, but the people of the province call it more money out of their pocket: general motor vehicle and licence fee revisions, product diversification, snowmobile registration fees, increased land registration fees, Assessment Review Board fees, commercial fish royalties, water power royalties, and it goes on and on and on.

I believe the member for Mississauga West was right on the mark when he underscored and underlined how the Bob Rae government is so out of sync with the province and the needs of the people of this province that it seeks to use a piece of legislation which does nothing less than increase taxes at a time when people are saying, "Hold the line on taxes and reduce them." I compliment the member for Mississauga West.

**Mr Wiseman:** I'm very pleased to rise today, because I have to build on the very fine analysis that my friend the member for Downsview made about the budget.

He missed the point. The point is that from 1985 to 1990, the added revenue that was collected was well in excess of \$18 billion. They added expenses that far exceeded that amount because they were spendthrifts, shall I say. They increased their operating expenditures by 7.3% in 1984-85, 9.1% in 1985-86, 11.8% in 1986-87, 9.1% in 1987-88, 10.1% in 1988-89, and in 1989-90, it was 7.9%. But I have to say that of all the years, their 1990-91 budget was the biggest. They increased their growth in operating programs by 14.7%.

**Mr Offer:** You're into your years.

**Mr Wiseman:** No. The election was in September. Your budget came out. We were on your budget until 1991. No wonder you guys don't know what you're doing. You don't even know what year you were in. Last year, we decreased it by 4.2%. The budget was 1990-91.

**Mr Michael A. Brown (Algoma-Manitoulin):** First, I would like to congratulate my colleague from Mississauga West for his normal, dispassionate debate on the issues before the Legislature today, in particular on Bill 146.

*Interjections.*

**The Acting Speaker:** Order. I need to be able to hear.

**Mr Brown:** I couldn't help but come up with some questions that I thought maybe should be asked of the member for Mississauga West, seeing as we seem to be debating records of parties in here.

One thing the Liberals are being accused of is spending too much. I would agree that perhaps that was a fault, perhaps we did, but my colleagues here in the NDP never thought we spent enough. We were told over and over and over again when we were the government that we didn't support public services with enough money. Strangely enough, we heard the same thing from the Conservative Party. There wasn't anything we spent enough money on during those years.

But I would tell you one interesting thing. We should

maybe talk about what auditors say. When the Liberal government was in power it paid its bills.

**Mr Randy R. Hope (Chatham-Kent):** It did not. You can't say that honestly.

**The Acting Speaker:** Interjections are out of order.

**Mr Brown:** The only surplus in the last 20 years occurred in 1990. The auditor says so. I don't say so, the member for Mississauga West doesn't say so; the auditor says that. The Liberal government paid its bills. That's the way it was.

But the big issue here is that as we go after more taxes, taxes which are dramatically wrong, my constituents in Elliot Lake wonder, as the government comes out to grab more money, why is it that our hospital in Elliot Lake is laying off more and more people? Why is it that we can't provide the services, with this tax grab after tax grab after tax grab?

**The Acting Speaker:** The member's time has expired. We now have two minutes for the member for Mississauga West to respond.

**Mr Mahoney:** It's not enough time. But it's interesting how people get manipulated into believing what they want to believe. It must be kind of difficult every day, with all the pressure. In fact, I know it is, because I was part of a back bench in a majority government and I know the frustration and the difficulty of sitting there thinking, "We shouldn't be doing this" or "We shouldn't be doing that." We made mistakes when we were in office; there's absolutely no question we did. I think the Conservatives could say they made mistakes.

But there's a fundamental difference. What I see happening here is a back bench that is—I don't know. They've somehow been convinced by Premier Bob that they've still got a shot at this.

**Mr Offer:** The Bobster.

**Mr Mahoney:** The Bobster. They think the Bobster is going to save them by travelling around the province giving out money. It's really interesting to hear some of the members. I particularly note—I don't mean to pick on him, but the member for Oxford came in here young and eager, with new ideas. I thought, "This is a young guy, right out of school; it looks like he's going to have some fresh, new ideas to bring into that caucus," and there's nobody in that back bench who sings the government tune better now than that particular member.

I guess it's ambition. "We're in the same boat now," is the song the Premier sings. Hazel McCallion says it's sinking in a sea of red ink, which I think is an appropriate analysis that should be one of the verses in the song. I doubt it is.

I don't understand how you can get sucked in so much. You, like me, have to go home and talk to your constituents, and you can't tell me for one minute that anybody in your community believes that what you are doing as a government is good for them. You're taxing business out of business, taxing people out of any kind of money, and you're taxing prosperity out of the province.

**The Acting Speaker:** Further debate?

**Mr David Johnson (Don Mills):** I have really

enjoyed this debate up till this point. I might say that it's one of those opportunities where I agree with both of the other parties. I agree with the NDP and I agree with the Liberals.

The NDP has indicated that the Liberals did a lousy job between 1985 and 1990 in terms of managing the economy, and they're absolutely right. I agree with the member for Durham West. He indicated that spending—I think that was the premise of the member for Durham West—during the period of 1985 to 1990, when the Liberals were in power, was uncontrolled. Let's face it. Let's look at the numbers.

1700

**Mr Perruzza:** The Tories did the same thing.

**Mr David Johnson:** The member for Downsview is saying, "Yes, let's look at the numbers." That's what he's saying. Perhaps the most relevant number to look at is government spending to compare it with the rate of inflation. I haven't heard those numbers today, but those are the numbers that I think are very relevant.

If we look at 1986, the rate of inflation was under 5%, about 4%. So what level of spending should we see from the government if the rate of inflation is about 4%? The taxpayer would say that spending should be controlled, that spending should be no higher than the rate of inflation. But in actual fact the Liberal government in 1986 spent to the tune of a 12% increase, with a rate of inflation of about 4%. That's the kind of spending the members opposite me, the government members, are complaining about and bringing to our attention.

What happened in 1988 under another Liberal government? The rate of inflation was again under 5%, perhaps 4.5% that year. The spending again, unfortunately, was in the double digits. The spending was 11% that year. The spending was twice the rate of inflation in 1988.

Now, 1990 is an interesting year. It's really interesting to see the Liberals and the NDP fight over the carcass of 1990, because there was a Liberal budget—

**Mr Wiseman:** They had it for seven months, we had it for five.

**Mr David Johnson:** That's the point that's being made. That's the point the member for Durham West is agreeing with now. It was a Liberal budget, and what happened during the course of the year was that the government, notwithstanding the tremendous spending increases—and I must say spending increases vis-à-vis the rate of inflation outstripped even the NDP—

**Mr Wiseman:** Not last year.

**Mr David Johnson:** I'm complimenting you. I'm with you on this. I'm saying that the Liberal spending, when you compare it with the rate of inflation, was higher than even your spending.

**The Acting Speaker:** Would you address your remarks to the Chair, please.

**Mr David Johnson:** Madam Speaker, when you compare the spending with the rate of inflation, the Liberals, in the period 1985 to 1990, were the all-time leaders. That's what is being pointed out by the members opposite, and they have a good point.



In terms of the year 1990, that's where the frenzy develops, because whose year is 1990? David Peterson thought he had it in the bag. He felt that if he went to an election, after about three years of a mandate—

**Mr Wiseman:** Yes, they made all the promises to the hospitals, to the municipalities, to the school boards.

**Mr David Johnson:** —and made all the promises to the hospitals—I'm getting lots of help from across the floor—they would go to an election and would be rewarded by the people of the province. But it didn't happen. People in this province saw through that. They felt there wasn't enough substance to the finances, that there wasn't enough humility, and the election turned out a great surprise to everybody, including the members opposite, I'm sure.

**Mr Wiseman:** I admit it.

**Mr David Johnson:** The member for Durham West admits it. He did not expect to win, but here he is, sitting in his seat—for another year.

**Mr Wiseman:** That's right. Doing a good job.

**Mr David Johnson:** I won't go that far. At any rate, halfway through the year the NDP came in and took over the budget from Bob Nixon and the Liberals. Who is to blame for the problems we encountered in that particular year? In 1990, the rate of inflation: under 5% again; the spending, about 12%.

**Mr Wiseman:** That's 1991-92.

**Mr David Johnson:** That's the year 1990. You're thinking that's not bad enough. There's a year that's worse than that, and you're absolutely right. It's the following year, 1991, where the spending was up about 12.5%, about three times the rate of inflation.

That was the year the NDP decided they would spend their way out of our economic woes, that they would spend their way out of the recession that was just developing at that point in time. We hope they've seen the error of their ways.

It's very interesting to hear this debate. I can agree with both parties when they say that the other side has caused enormous difficulties, unfortunately, for our economy in the province of Ontario, and that's the fact. The Liberal spending through those years, 1985-90, unfortunately has put us in a very bad position with regard to the expenditures of the province of Ontario in this day and age. The NDP have added to that and now the problem is that they're not coming to grips with the deficit, and the deficit is growing leaps and bounds. But I think I would agree with the government if it said that one of the main problems that it faces is the spending, spending which was built in the years between 1985 and 1990.

I can have a little bit of sympathy for you, that you inherited a mess, you inherited a very high level of spending. Unfortunately, you added on to that, though, I have to be truthful. You added on to that, made it worse. But still, from the Liberals you inherited that mess.

This particular bill that we're dealing with is a bill that could be about fairness, it's a bill that could be about generating more revenue to try to balance off all that increased spending that we've been talking about. But what will happen in the final analysis?

If we look, for example, at the one aspect of the bill that has to do with the deductibility of meals, that I guess is an easy target. What is happening here is that the proposal—and it comes out of the 1993 budget. Some aspects come out of the 1992 budget in this particular bill, which I find very interesting. We're now two years behind, which is truly amazing. But this aspect comes out of the 1993 budget and it reduces the portion of the expenses for meals and entertainment deductible in computing income previously from an 80% level down to a 50% level.

Again, as the government members have pointed out, this is in a sense paralleling what Paul Martin has done, the Liberal government in Ottawa. So in a sense we have two governments in cahoots: the provincial government reducing the deductibility here in Queen's Park; the federal Liberal government in Ottawa.

It may seem to the ordinary person that this a good thing, that people should not be allowed to have entertainment, should not be allowed to have meals and have that deducted, so that less income tax is paid. On the surface of it, that idea has a great deal of attractiveness. People say, "Is that fair?" Should some people be able to get their entertainment and their meals deducted and in a sense perhaps, through lower income tax, have the rest of the taxpayers pick up the cost of that?

I must say, you have to think about that, you have to think carefully, because, yes, as a basic message, there may be a little bit of unfairness, but when we look at these kind of issues, we should be careful to ensure that we look at all aspects. Let's not just deal from a surface impression, what may be politically popular at one point in time; let's look at what this really means.

One aspect of what this really means has been enunciated by the Ontario Restaurant Association. This is a non-profit organization that represents, as you might expect, the foodservice industry, the restaurant industry, in the province of Ontario. They were founded in 1931, by the way, so this is a very old and respected organization. It represents about 4,500 members and, as you might appreciate, thousands and thousands of employees in the province of Ontario; thousands and thousands of people working counters, waiters, waitresses, thousands of people who for the most part are not among the most wealthy people in this province of Ontario. They represent people we should be concerned about, people we should be trying to support, trying to ensure that these people have jobs and are successful.

1710

What does the Ontario Restaurant Association say? They have done an analysis on business meals: business meals that we're talking about in this bill, business meals that now will be deductible at a lower level, making them less attractive. What they say may surprise some people. Some people may think that the vast majority of these meals is from corporate executives dining in the best restaurants with a huge price, maybe hundreds of dollars, but the analysis shows that 27% of these meals are actually what you would call "quick service." By "quick service," I assume that means sort of a McDonald's or maybe a Kentucky Fried Chicken or something of that

nature. Another 19% are what we would call "family style," another 27% are "casual and informal" and 15% what would be called "fine dining." So only 15% of these meals are what you would term "fine dining." It's not just the very expensive restaurants that benefit from this and there is quite an array of different situations.

The analysis carries on and it asks the question, "Who uses this allowance?" Thirty-nine per cent of the meals are claimed by professions. We're talking about managers, business owners, accountants, pilots, engineers, librarians, clergy, dentists, nurses, teachers: real people; people, though, who are termed "professionals."

Twenty-six per cent are claimed by people in clerical professions, again real people, people probably at a much lower remuneration level: secretaries, clerks. Think about this. We think that when we bring in a bill to deal with this sort of aspect, we're dealing with the fat cats of society, but that's not necessarily true. We're talking about secretaries, clerks, bookkeepers, tellers, sales people, real estate people.

Twenty-four per cent are consumed by blue-collar workers: firefighters, police, ambulance workers, guards, forestry workers, refinery workers, taxi drivers, bus drivers.

So, you see, this is an aspect that touches all parts of our economy. I just wonder if the government has considered that aspect. It's a big target, it's an easy target, but have they considered that aspect?

Business meals account across Canada for \$950 million in sales in the restaurant industry; \$400 million in sales here in the province of Ontario—\$400 million in sales in the province of Ontario through the restaurants because of business meals. That's a lot of money. Now, guess what? It's not just money; it's jobs. We're talking about jobs here. Has the government taken that into account? Is this the time when we should be taking measures that would impact on jobs, that would result in job losses?

What sorts of jobs are going to be lost? Again, waiters, waitresses, people who are not at the high end of the income scale. Eleven thousand jobs are supported, in the province of Ontario, by business meals: 11,000 jobs is the calculation. Just think about that. In a day and age where—

**Mr Perruzza:** Who did that? Some guy in your caucus research?

**Mr David Johnson:** Yes. I'm being asked, "Who did this?" This research, because the members opposite find that this is not to their liking, that we're talking about ordinary people losing jobs because the government in a sense increases taxes, was done by Crest Canada, a Canadian company, and not partisan. It was done for the Ontario Restaurant Association. It was not done for the Progressive Conservative Party. It was not done for any particular party.

**Mr Perruzza:** Oh, they paid for the information. Oh, I see. The restaurant association got somebody to do a study for them.

**Mr David Johnson:** Well, you know, I see a tone of disbelief across the floor. Just think: Does it not make sense? Of course it makes sense. When taxes go up, jobs

are lost. As a matter of fact, that is a theme that is prevalent in this day and age.

On Wednesday night, I guess it was, of last week, I had a town hall meeting. At that town hall meeting, one of the gentlemen who was present indicated to me that he had a company with 33 people who he employed just a year or two ago. He now has a company that employs himself. Thirty-two people are unemployed from this particular company. I asked him why. I asked him: "What happened? Why has your company that employed 33 people from the province of Ontario gone down to just one person?" He said the payroll taxes, number one, taxes such as workers' compensation. That was one he mentioned. He mentioned unemployment insurance. He mentioned all the taxes that are contributing to making our business in Ontario uncompetitive.

Here we are within the last two weeks debating the third bill, I think this is, implementing tax increases from the 1993 budget and the 1992 budget. Here we are, at a time when our economy is sluggish, the growth in our economy is negligible—I saw figures just recently that the growth a month ago, I guess it was in the month of February, was 0.1 in our Canadian economy. We should not be implementing measures that would be detrimental to the growth of our economy. We should be looking to encourage growth in our economy. This is not from any particular love of corporations, but for our economy to grow, for people to have jobs so that we can build a society, we need companies to be successful and they should be encouraged. That's a message that comes from—

#### *Interjection.*

**Mr David Johnson:** Yes, it comes from the business community and the member for Downsview might say that's self-serving, but that's where the jobs are going to be created. We can't afford to hire everybody in government. Government expenditures are too high already. The fact is that with the deficit now, what is the deficit going to be? Nobody even believes the Treasurer.

When you read the Globe and Mail this morning and you look at the stories pertaining to the deficit in the province of Ontario, you look at financial economists and you see, for example, an economist from Bunting Warburg, who says, "No one's going to believe them anyway."

What he's referring to are the forecasts for the deficit from the Treasurer, from the Minister of Finance for the province of Ontario. The forecasts have been so out of whack over the years, for revenue growth in particular, that our deficits are growing and growing and growing. We have at least three economists in the paper just today saying they don't believe the Finance minister any more. They don't believe he's giving us the straight goods. We don't seem to care about that. That's having an impact.

1720

What should happen and what this government should be promoting is a cut in expenditures. That should have happened—this is how I got started this afternoon. That should have started back during the Liberal regime, and I'll admit it. Yes, it should have, but it didn't, and this



NDP government unfortunately hasn't recognized that, so now our expenditures are high, our revenues are not coming in, and we have a tremendous deficit. What is it going to be this year? Is our bond rating going to suffer again?

**Mr Perruzza:** Thursday, hang on to your hat, David.

**Mr David Johnson:** Thursday, we'll find out.

**Mr Allan K. McLean (Simcoe East):** We'll all be suffering Friday.

**Mr David Johnson:** We'll all be suffering on Friday, the member says. That's for sure. But I don't see encouraging signals coming from the Minister of Finance. I think the Minister of Finance has given up on the deficit. That's my own personal opinion and I think that's a shame for the province of Ontario. But if he's given up on that, could he not at least look at measures to promote our business community?

The board of trade, for example, has said that we should be looking at the employer health tax. The Canadian Federation of Independent Business, which represents I think some 40,000 businesses across the province of Ontario, has said that one of the things the Treasurer could do in his budget that's coming down on Thursday is to do away with the employer health tax on the smaller businesses, on those businesses \$400,000 and less, to do away with that tax, encourage business growth. Why doesn't he do something like that?

Instead, what we get—well, I don't know what we're going to get on Thursday, but what we get today is this bill, Bill 146, which imposes another tax on the business community. It imposes a corporate minimum tax. Again, fine, some corporations do not pay tax. There are a few, not too many, but some corporations do not pay tax, and they should all pay tax. They should all pay taxes in terms of fairness. That's the fairness angle.

The reality is that businesses are struggling in this day and age. There are huge portions of some of our larger municipalities which have vacancies, many vacancies, in the industrial area. I can tell you that in the city of North York, which I represent, the mayor of the city of North York is very concerned with the vacancies in the industrial areas. It's some 25%, he's told me. Mel Lastman has told me that 25% of the industrial buildings in the city of North York are vacant.

**Mr Sutherland:** No, not North York.

**Mr David Johnson:** In North York; it's happening. I hope the members from the government wake up to this. It's happening across Ontario.

**Mr Sutherland:** Miracle Mel's city?

**Mr David Johnson:** I'm glad the member has mentioned the mayor of North York, because the mayor of North York has a plan to address this.

**Hon Ms Churley:** Mel?

**Mr Sutherland:** I thought everything was perfect in North York.

**Mr David Johnson:** Mel. Mel Lastman is working to address that problem. What he's doing is that he's putting forward a platform to tell business, "Welcome to North York," encouraging business, helping business. I can tell

you that if the mayor of North York was here today and could see some of the tax increases that are going through, which the members opposite are supporting, he wouldn't be happy. Indeed he would not be happy. That's my estimation, that he would not be happy about the minimum tax, because he knows that this is not the time to put any additional tax on business, when you have a 25% vacancy rate in your industrial area.

Unfortunately, in East York, the other municipality I represent, we have the same kind of vacancy rate. When you have office space downtown in the city of Toronto, a 30% vacancy rate in office space right about where we are here today, is that the time to be putting on more taxes? Is that the time to be putting the kind of tax we're looking at here, a corporate minimum tax, on businesses? I say no, it isn't. That's the time to be looking at a tax reduction. That's the time to say to the business community: "We're going to take a new approach. We're going to reduce taxes. We're going to work with you. We're going to encourage you."

**Mr Sutherland:** Bet you there isn't any vacant land in Mississauga, is there?

**The Acting Speaker (Mr Noble Villeneuve):** Order, please.

**Mr David Johnson:** The member opposite is talking about vacant land, but if the member will pay attention, I'm talking about vacant buildings. I'm not just talking about vacant land; I'm talking about vacant buildings. There are vacant buildings right across this province of Ontario. I'm distressed that the parliamentary assistant doesn't recognize that, that this is news.

I can tell you why there are vacant buildings, why rents are going down in vacant buildings. The reason is because the economy that we have in the province of Ontario is non-competitive. Businesses cannot compete. Businesses need encouragement. They need a reduction in the employer health tax. They need a reduction in workers' compensation.

Do you know that in the province of Ontario we have the highest workers' compensation rate in all of Canada? People may say that can't be true, but if you look at the statistics, we're higher than Newfoundland. Newfoundland is the next province in terms of the workers' compensation premiums. Here in Ontario we pay over \$3 per \$100 of payroll; for every \$100 of payroll, there's over \$3 paid to workers' compensation. Newfoundland is just a little bit less, perhaps 10 cents less than that.

You may ask, what do businesses in the other provinces across Canada pay? The answer is that there's a big drop, a substantial drop beyond what the businesses pay here in Ontario. For example, next door in the province of Quebec it drops down to just over \$2, perhaps \$2.20. It's the better part of \$1 less per \$100 of payroll. That adds up. That's one of the reasons our businesses have trouble.

Why don't we look at that? Why don't we take measures to address that? Do you know what would happen if we put in place policies that would reduce the taxes on businesses? Businesses would be more competitive with Quebec and more competitive with the United

States and Manitoba and other provinces. They would be more successful. They would hire more people. Then we would have more taxpayers, because we'd have more people who are being employed.

I'm really very optimistic about our economy and our ability to generate jobs and to be successful, but the economy now has a ball and chain around its ankle. That ball and chain is called taxes, and that's what has to be reduced.

Those are the two main issues I wish to raise. On the issue of the deductibility of meals and entertainment, it will have a negative effect on many small businesses, many small restaurants, and it will have a negative effect on many people employed. I just hope we recognize that many people will lose their jobs because it's not as attractive any more and there'll be less business.

I also wanted to bring to the attention of the House that the corporate minimum tax, while again a seemingly attractive proposal, is another tax and another signal from this government that business is not welcome. Unlike the mayor of North York, who has taken an approach to support business, unlike the borough of East York, which has taken an approach to support business, this is another tax and another disincentive. I'm sorry.

Just as I close, I think there's a requirement on members to be fair, and I hope I have been fair in my comments. I will say that the government has implemented a couple of measures in this bill that I applaud. One of them is that the manufacturing and processing tax rate has been reduced from 14.5% to 13.5%. That comes out of the 1992 budget, so it's about two years ago. But that's the kind of thing that we should be looking at, and that applies to mining, farming, logging and fishing as well.

**Hon Mr Pouliot:** We could have passed this one in a week.

**Mr David Johnson:** All right, I tip my hat to you. That was a good thing to do. Small business deduction: The corporate tax rate applied on the first \$200,000 of active business income earned by eligible companies has also been reduced, from 10% to 9.5%. That was way back in May 1992, so that's perhaps an old story, but again I tip my hat. That's the kind of thing you should be doing. Forget about the tax increases; now is not the time. Do a few more tax decreases such as I've outlined here.

1730

**The Acting Speaker:** Questions or comments?

**Mr Perruzza:** I want to refer back to two things the member said. I can't help but label the two things, really, as providing information to this place out of sheer convenience. I know the member is new in this place, but I've listened to him on other occasions and he's generally very forthright in the kind of information he brings to this place, but I can't help today but feel I have to correct two specific areas where the member sold out some of his finer qualities for political rhetoric.

I want to go back to the study he introduced in here. I'll point out to the member that everything you say in this House is recorded and can be re-read at leisure or for

information purposes in the future. To come in here and introduce a study commissioned by some restaurant association or some eateries who paid for that study, to bring it into this place and use it as factual information to try to make a point is beyond me. If one of the New Democrats on this side had tried it, they would have raked us over the coals. They would have taken us outside this place and dragged us around the streets till we bled. They would never, ever have permitted us to do that. I would wish that in his two-minute response he would go back and completely take back some of the comments he made with respect to that budget.

The other is McDonald's. If you follow his arguments, McDonald's is going to be out of business tomorrow. I say to him, he's going to be one of the billion people who's going to be able to eat at McDonald's in future.

**Mr McLean:** I want to comment briefly on the remarks of my colleague the member for Don Mills. I want to congratulate him on the appointment as our Finance critic. He will do an excellent job with the knowledge and background he has; he's perfectly set for it. I want to tell you, Mr Johnson, that I will take your comments ahead of the member for Downsview's any day as being fact.

Bill 146, An Act to amend the Corporations Tax Act, is a major bill. There are some 75 pages in this bill. Today I had the opportunity to make a statement in the Legislature about TRW in Penetanguishene that's closing the plant, laying off 270 employees. This type of legislation, increased taxes on businesses, is exactly helping companies like that to make the decision to leave. It is not good business. It's not good to be taxing corporations the extra money.

This bill also has provisions in it which will hurt the tourism industry with regard to entertainment and meals. It's reduced, I believe, from 80% to 50%.

There are others: The WCB premiums that we've had increased in this province is another move on the people out there who are sick and tired of being taxed to death; the employer health tax on small corporations, small businesses under \$400,000.

There are ways to stimulate the economy. My member spoke on many of those ways that that can be done. These people over here are not listening. You've got to tax less. What we're doing here today is simply taxing more. It's unacceptable. You talk to those 270 people in Penetanguishene who are out of work today and see what they have to say about your increased taxes.

**Mr Peter North (Elgin):** I would enjoy taking a two-minute opportunity to participate in this debate. I wanted to go over a few of the things that have been mentioned this afternoon.

First of all, the member for Downsview speaks of the study that was referred to, and studies are used all the time in the ministries. I know I used them in the Tourism ministry.

This bill has to do with taxation and taxation on small business. To be honest, some sections of the bill are good. Section 14 deals with the small business tax from 10% to 9.5%. That's certainly a positive thing to have



happen. Section 16 deals with an amendment to section 43 of the act, a 1992 budget proposal to decrease from 14.5% to 13.5% on mining, logging, fishing and some of those other areas. That's certainly good as well.

There is a section, section 9, which deals with the tourism industry, which is of some difficulty, I know. I've been told by people in the tourism industry that they're disappointed that we will be removing the opportunity to pay from 80% down to 50% as a write-off on their insurance.

In summary, I'd like to say that this particular bill is a bill that deals with taxation. It's a bill that all parties have had discussions about. This isn't the first time that there have been taxes in this province and it certainly won't be the last. I see it as something that Elgin would like to see balance on.

If you look at the you-brew industry and if you look at the tobacco industry, we can see that by moving taxation down, rather than up, there are positive things that will happen. We have some of those things in this particular issue and we have lost some of those things in this particular issue.

**The Acting Speaker:** We can accommodate one final participant.

**Mr Drummond White (Durham Centre):** I'd like to compliment my friend the member for Don Mills, because certainly his speech showed a great deal of wisdom and insight and research, unlike that which preceded it. Before, we had a Liberal speaker who was ranting and raving about how everything has gone to hell in a handbasket because of this government.

On the other hand, the 45,000 jobs created by Jobs Ontario skills training or the salvation of Algoma Steel of course had nothing to do with this government whatsoever. Somehow we can accept all of the blame but take none of the credit.

My friend speaks very articulately of how government can work, how taxation policies can work. He of course speaks from his perspective, which would allow business executives, would allow corporations to have huge tax write-offs, tax write-offs to go to La Scala, tax write-offs to go to the most expensive of restaurants and to write those things off somehow as legitimate expenses.

When the constituents in my riding go to McDonald's or Swiss Chalet, somehow they're not able to write that off on their taxes. They're not able to write off that 55-cent coffee on their taxes. But somehow the tourist industry in our province will become bankrupt unless executives have this extra compensation. I think most people in this province would agree with and understand that everyone should be paying their fair share, and everyone includes corporations, corporations that presently can earn billions and billions of dollars in profits and pay next to nothing or nothing at all.

I want to thank my colleague and I look forward to his concluding remarks.

**The Acting Speaker:** This completes questions and comments. The honourable member for Don Mills has two minutes in response.

**Mr David Johnson:** I'm a little bit overwhelmed by

the response, but I could say to the member for Durham Centre, bear in mind that it's not all big companies. There are some very small companies that could use this entertainment and meal deductibility. Many of these small companies do not have a boardroom, do not have a meeting room. There's nowhere for them to meet to swing deals or to talk business, so they go out to a restaurant. That's quite a common aspect. Think about that: There are some small businesses.

**Interjection:** What about the waiters and waitresses?

**Mr David Johnson:** As my colleague says, think about the waiters and the waitresses and the jobs. But at any rate, I appreciate your comments.

I appreciate the comments of the member for Simcoe East. This is a very difficult day for the member because of TRW, the 270 jobs that are lost. The member is representing his constituency very capably and he's very concerned about that. His concern, as he's enunciated it, is bang on, that what contributes to this kind of situation across the province of Ontario is high taxes, workers' compensation, unemployment insurance, all of those kinds of problems.

I particularly appreciate the comments of the member for Elgin. He said in closing that this bill has some good aspects, that some taxes are down and that we should be looking at other alternatives for putting down. He's bang on. Good comment.

1740

The member for Downsview—who has now left; I don't know where he is—but he calls restaurants "eateries," and he has no respect, as far as I can see it, for the private sector in terms of coming forward with a responsive study, which they have done in this particular case, and I have a lot more respect for the private sector in terms of the studies and in terms of the business community.

#### ROYAL ASSENT SANCTION ROYALE

**The Acting Speaker (Mr Noble Villeneuve):** Before we resume second reading debate on Bill 146, I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to certain bills in his office.

**Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries):** The following is the title of the bill to which His Honour has assented:

Bill 143, An Act to amend certain Acts related to The Regional Municipality of Ottawa-Carleton and to amend the Education Act in respect of French-Language School Boards / Projet de loi 143, Loi modifiant certaines lois relatives à la municipalité régionale d'Ottawa-Carleton et la Loi sur l'éducation en ce qui a trait aux conseils scolaires de langue française

#### CORPORATIONS TAX AMENDMENT ACT, 1994

#### LOI DE 1994 MODIFIANT LA LOI SUR L'IMPOSITION DES CORPORATIONS

Resuming the adjourned debate on the motion for second reading of Bill 146, An Act to amend the Corporations Tax Act / Projet de loi 146, Loi modifiant la Loi sur l'imposition des corporations.

**The Acting Speaker:** We now proceed with further debate. The honourable member for Mississauga North.

**Mr Offer:** I'm pleased to rise and join in the debate on Bill 146. Let me say at the outset that I am opposed to the bill for a variety of reasons, not the least of which is that higher taxes are not the way to economic prosperity.

As you know, my riding of Mississauga North contains a variety of communities, all very important unto themselves and as they make up the riding and in the city of Mississauga—the communities of Malton and Meadowvale and Meadowvale Village, Streetsville, East Credit, to name a few. All of those communities, no matter where you travel, the people within those communities are very concerned about the high incidence of taxation at the provincial level.

As we come to this Legislature on Mondays, after travelling to a variety of events on the Fridays, the Saturdays and the Sundays and through the week, the message is clear: We are fed up with the high incidence of taxation.

The level of taxation has reached a point where it is forcing people not to purchase, where it is pushing people into what is called the underground economy. For the provincial government not to recognize that this is indeed the impact of any new taxes on the system is folly on their part. They must recognize that, now, the more they tax, the less they receive; that people want to make this province work. They're asking the province, they're asking the Bob Rae government to listen to what they are saying.

*Interjection.*

**Mr Offer:** There is, Mr Speaker, as you can hear, a member on the government side chirping about. They chirp every time one speaks against a bill that imposes taxes on the people of the province of Ontario.

**Mr Noel Duignan (Halton North):** More health tax. Remember that.

**Mr Offer:** He continues to chirp. Eventually, the next election, he will find himself falling out of the nest.

The fact of the matter is that the people of the province are saying to Bob Rae and to their government that a bill such as this, Bill 146, is one which is not needed and unnecessary in this province; that it is one which adds to the tax burden; that it is one which sends out the wrong type of message; that you cannot build economic prosperity on the backs of the people of this province. Indeed, this is what this bill is going to accomplish.

It is a bill on which I have heard from my constituents. They have said no to the implementation of this legislation. They have said no to increased taxes. Bob Rae and his NDP minions continue to foist more taxes on the people, not only in Mississauga North but indeed throughout the province of Ontario.

It is a piece of legislation which I will not support. If we want to rebuild the economy through the ridiculous policies of this provincial government, we must stop tax increases. We must, in fact, look to tax reduction. We must tell the people of the province that we have confidence and faith in the message that they are giving to us.

Bob Rae and his NDP government continue to turn their backs on the people of the province. They continue to say that their opinion and their thoughts as to what are in the best interests of the province are things that we are not going to listen to. I do not agree with Bob Rae and his government. I will not be supporting this piece of legislation. It is again increasing taxes at a time which will, without question, be a detriment to any economic growth in this province.

**The Acting Speaker:** We have now reached the time where a deferred vote is scheduled to be addressed.

EMPLOYER HEALTH TAX AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI  
SUR L'IMPÔT PRÉLEVÉ SUR LES EMPLOYEURS  
RELATIF AUX SERVICES DE SANTÉ

Deferred vote on the motion for second reading of Bill 110, An Act to amend the Employer Health Tax Act and the Workers' Compensation Act / Projet de loi 110, Loi modifiant la Loi sur l'impôt prélevé sur les employeurs relatif aux services de santé et la Loi sur les accidents du travail.

**The Acting Speaker (Mr Noble Villeneuve):** This will be a five-minute bell. Call in the members.

*The division bells rang from 1746 to 1751.*

**The Acting Speaker:** Would all members please take their seats.

Mr Laughren has moved second reading of Bill 110. All those in favour, please rise one at a time to be recognized by the Clerk.

**Ayes**

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooper, Dadamo, Duignan, Farnan, Fletcher, Frankford, Gigantes, Grier, Haack, Hampton, Hansen, Harrington, Haslam, Hope, Huget, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Morrow, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Rizzo, Silipo, Sutherland, Ward, Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziembra.

**The Acting Speaker:** All those opposed to Mr Laughren's motion will please rise one at a time and be identified by the Clerk.

**Nays**

Arnott, Beer, Bradley, Caplan, Carr, Chiarelli, Cleary, Fawcett, Grandmaitre, Harnick, Jackson, Johnson (Don Mills), Jordan, McClelland, McLean, Miclash, North, Offer, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poole, Ruprecht, Turnbull, Witmer.

**The Acting Speaker:** The ayes are 61; the nays are 25. I declare the motion carried.

Shall the bill be ordered for third reading?

*Interjections.*

**The Acting Speaker:** The bill is ordered for committee of the whole House.



## CORPORATIONS TAX AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI  
SUR L'IMPOSITION DES CORPORATIONS

Resuming the adjourned debate on the motion for second reading of Bill 146, An Act to amend the Corporations Tax Act / Projet de loi 146, Loi modifiant la Loi sur l'imposition des corporations.

**The Acting Speaker:** We now continue and resume second reading debate of Bill 146. The honourable member for Mississauga North had the floor.

**Mr Offer:** As I was in my remarks before that brief interlude where we voted on another piece of legislation, I was trying to make the point that this surely is a time when any increased taxes are going to be an impediment to any economic prosperity. Surely we recognize that in the last budget a series of new taxes was announced by the government, but there was also a series of what are called non-tax revenue generators or initiatives, and I happen to have a list of those from the 1993 budget.

This is the week that the Minister of Finance is going to be announcing the new budget.

**The Acting Speaker:** Order, please. There is a great deal of noise in the Legislature. It makes it very difficult to hear the honourable member.

**Mr Offer:** I believe the taxes and the tax policy of this government have resulted in an impediment to the growth of areas such as mine in Mississauga North, the city of Mississauga, the region of Peel and indeed throughout the province of Ontario.

But it goes even beyond the tax policy of the government when one takes a look at the non-tax revenue initiatives as referred to in the budget of 1993-94: increased fees for general motor vehicle and licence fees, snowmobile registration fees, subdivision approvals, increased technical standards fees, increased land registration fees, Assessment Review Board fees. We know the government has introduced legislation which imposes provincial sales tax on your premiums for your policy of insurance.

The point I make is that no matter what we call these things, whether they be called a non-tax revenue initiative, a non-tax revenue generator or taxes, for the people of the province they are dollars out of their pockets. That has an effect on the growth of this province, and it is negative. People are fed up with the level of taxation the

government has imposed upon them. They are fed up with being told that in one area they are called taxes, in another area they are called fees, in another area they are called non-tax revenue initiatives. To the people not only in my riding but I believe throughout the province, that is money out of their pockets and it has an effect on their purchasing power. It has an effect on the growth of the province of Ontario.

It is for that reason that I am so against this particular piece of legislation, against this particular bill, because that is not the way to build economic prosperity in this province. Rather, we have to take a look at some of the suggestions that, for instance, were outlined in my leader's report on the task force on jobs, some ideas such as saying we can together make this place, this province of Ontario, North America's leading economy, that we can get Ontario working again, that we can reduce taxes 1% per year to 5% over the next mandate, that we can say to the people not only of the province but beyond its borders that Ontario stands as a place where people can do business, where people can start businesses, where they can expand existing businesses, and government will not stand in their way; that government, apart from standing in their way, will embrace the new ideas, the new energy, the entrepreneurship that is experienced by so many people in this province.

Unfortunately, the current government has a series of policies which do stand in the way of young people, of people throughout the range in our province who want to take a chance, who want to create jobs. Bills such as the one we are debating today create further hurdles. They create a further burden on the initiative of people in this province, on the spirit of entrepreneurship.

For that, I am opposed to this legislation. For that, I believe this bill to be wrong. For that, I would hope the members of this Legislature, including members of the government, would say and see that bills such as this cause problems, cause a province not to grow. We have to start reducing the impediments to economic prosperity in this province. We can do so by voting against this bill.

**The Acting Speaker:** It now being 6 of the clock, this House stands adjourned until tomorrow, May 3, at 1:30 pm.

The House adjourned at 1800.

## ERRATUM

No.	Page	Column	Line	Should read:
116	5735	2	35	Lance, Norm Neveau, Dan Pelletier, Stephen Runnalls,

**LEGISLATIVE ASSEMBLY OF ONTARIO  
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

**Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD**

**Speaker/Président: Hon/L'hon David Warner**

**Clerk/Greffier: Claude L. DesRosiers**

**Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries**

**Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller**

**Sergeant at Arms/Sergent d'armes: Thomas Stelling**

<b>Member/Député(e)</b>	<b>Constituency/Circonscription</b>	<b>Party/Parti</b>	<b>Other responsibilities/Autres responsabilités</b>
Abel, Donald	Wentworth North/-Nord	ND	government whip / whip du gouvernement
Akande, Zanana L.	St Andrew-St Patrick	ND	parliamentary assistant to the Premier / adjointe parlementaire du premier ministre
<b>Allen, Hon/L'hon Richard</b>	Hamilton West/-Ouest	ND	Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Arnott, Ted	Wellington	PC	Vice-Chair, standing committee on estimates / Vice-Président du Comité permanent des budgets des dépenses
Beer, Charles	York-Mackenzie	L	Chair, standing committee on social development / Président du Comité permanent des affaires sociales
Bisson, Gilles	Cochrane South/-Sud	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs / adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
<b>Boyd, Hon/L'hon Marion</b>	London Centre/-Centre	ND	Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Bradley, James J.	St Catharines	L	opposition deputy House leader / chef parlementaire adjoint de l'opposition
Brown, Michael A.	Algoma-Manitoulin	L	Chair, standing committee on general government / Président du Comité permanent des affaires gouvernementales
<b>Buchanan, Hon/L'hon Elmer</b>	Hastings-Peterborough	ND	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Callahan, Robert V.	Brampton South/-Sud	L	
Caplan, Elinor	Oriole	L	
Carr, Gary	Oakville South/-Sud	PC	Progressive Conservative deputy House leader / chef parlementaire adjoint du Parti progressiste-conservateur
Carter, Jenny	Peterborough	ND	parliamentary assistant to Minister of Citizenship / adjointe parlementaire de la ministre des Affaires civiques
<b>Charlton, Hon/L'hon Brian A.</b>	Hamilton Mountain	ND	Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et délégué à l'Assurance-automobile
Chiarelli, Robert	Ottawa West/-Ouest	L	
<b>Christopherson, Hon/L'hon David</b>	Hamilton Centre/-Centre	ND	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
<b>Churley, Hon/L'hon Marilyn</b>	Riverdale	ND	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Cleary, John C.	Cornwall	L	
Conway, Sean G.	Renfrew North/-Nord	L	Deputy Leader of the Opposition / chef adjoint de l'opposition
<b>Cooke, Hon/L'hon David S.</b>	Windsor-Riverside	ND	Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'oeuvre



Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Cooper, Mike	Kitchener-Wilmot	ND	parliamentary assistant to Minister of Labour; Vice-Chair, standing committee on resources development / adjoint parlementaire du ministre du Travail, Vice-Président du Comité permanent du développement des ressources
<b>Coppen, Hon/L'hon Shirley</b>	Niagara South/-Sud	ND	Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs
Cordiano, Joseph	Lawrence	L	Chair, standing committee on public accounts / Président du Comité permanent des comptes publics
Cousens, W. Donald	Markham	PC	
Crozier, Bruce	Essex South/-Sud	L	
Cunningham, Dianne	London North/-Nord	PC	
Curling, Alvin	Scarborough North/-Nord	L	opposition deputy whip / whip adjoint de l'opposition
Dadamo, George	Windsor-Sandwich	ND	parliamentary assistant to Minister of Transportation / adjoint parlementaire du ministre des Transports
Daigeler, Hans	Nepean	L	Vice-Chair, standing committee on general government / Vice-Président du Comité permanent des affaires gouvernementales
Duignan, Noel	Halton North/-Nord	ND	parliamentary assistant to Minister of Consumer and Commercial Relations / adjoint parlementaire de la ministre de la Consommation et du Commerce
Eddy, Ron	Brant-Haldimand	L	Vice-Chair, standing committee on social development / Vice-Président du Comité permanent des affaires sociales
Elston, Murray J.	Bruce	L	opposition House leader / chef parlementaire de l'opposition
Eves, Ernie L.	Parry Sound	PC	Progressive Conservative House leader / chef parlementaire du Parti progressiste-conservateur
<b>Farnan, Hon/L'hon Mike</b>	Cambridge	ND	Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation
Fawcett, Joan M.	Northumberland	L	
Ferguson, Will	Kitchener	Ind	
Fletcher, Derek	Guelph	ND	parliamentary assistant to Minister of Citizenship / adjoint parlementaire de la ministre des Affaires civiques
Frankford, Robert	Scarborough East/-Est	ND	
<b>Gigantes, Hon/L'hon Evelyn</b>	Ottawa Centre/-Centre	ND	Minister of Housing / ministre du Logement
Grandmaître, Bernard	Ottawa East/-Est	L	
<b>Grier, Hon/L'hon Ruth</b>	Etobicoke-Lakeshore	ND	Minister of Health / ministre de la Santé
Haeck, Christel	St Catharines-Brock	ND	government whip; Chair, standing committee on regulations and private bills / whip du gouvernement, Présidente du Comité permanent des règlements et des projets de loi privés
<b>Hampton, Hon/L'hon Howard</b>	Rainy River	ND	Minister of Natural Resources / ministre des Richesses naturelles
Hansen, Ron	Lincoln	ND	Chair, standing committee on the Legislative Assembly / Président du Comité permanent de l'Assemblée législative
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	ND	First Deputy Chair of the Committee of the Whole House; Vice-Chair, standing committee on administration of justice / Premier Vice-Présidente du Comité plénier de l'Assemblée législative, Vice-Présidente du Comité permanent de l'administration de la justice
Harris, Michael D.	Nipissing	PC	leader of the Progressive Conservative Party / chef du Parti progressiste-conservateur
Haslam, Karen	Perth	ND	

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Hayes, Pat	Essex-Kent	ND	parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales
Henderson, D. James	Etobicoke-Humber	L	
Hodgson, Chris	Victoria-Haliburton	PC	
Hope, Randy R.	Chatham-Kent	ND	parliamentary assistant to Minister of Community and Social Services / adjoint parlementaire du ministre des Services sociaux et communautaires
Huget, Bob	Sarnia	ND	government whip; parliamentary assistant to Minister of Environment and Energy; Chair, standing committee on resources development / whip du gouvernement; adjoint parlementaire du ministre de l'Environnement et de l'Énergie, Président du Comité permanent du développement des ressources
Jackson, Cameron	Burlington South/-Sud	PC	Chair, standing committee on estimates / Président du Comité permanent des budgets des dépenses
Jamison, Norm	Norfolk	ND	parliamentary assistant to Minister of Economic Development and Trade / adjoint parlementaire de la ministre du Développement économique et du Commerce
Johnson, David	Don Mills	PC	
Johnson, Paul R.	Prince Edward-Lennox-South Hastings / Prince Edward-Lennox-Hastings-Sud	ND	parliamentary assistant to Minister of Economic Development and Trade; Chair, standing committee on finance and economic affairs / adjoint parlementaire de la ministre du Développement économique et du Commerce, Président du Comité permanent des finances et des affaires économiques
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	ND	government whip; parliamentary assistant to Minister of Agriculture, Food and Rural Affairs / whip du gouvernement, adjoint parlementaire du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Kormos, Peter	Welland-Thorold	ND	
Kwinter, Monte	Wilson Heights	L	
<b>Lankin, Hon/L'hon Frances</b>	Beaches-Woodbine	ND	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
<b>Laughren, Hon/L'hon Floyd</b>	Nickel Belt	ND	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Lessard, Wayne	Windsor-Walkerville	ND	parliamentary assistant to Minister of Environment and Energy / adjoint parlementaire du ministre de l'Environnement et de l'Énergie
<b>Mackenzie, Hon/L'hon Bob</b>	Hamilton East/-Est	ND	Minister of Labour / ministre du Travail
MacKinnon, Ellen	Lambton	ND	Vice-Chair, standing committee on regulations and private bills / Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Mahoney, Steven W.	Mississauga West/-Ouest	L	opposition chief whip / whip en chef de l'opposition
Malkowski, Gary	York East/-Est	ND	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Mammoliti, George	Yorkview	ND	parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels
Marchese, Rosario	Fort York	ND	parliamentary assistant to the Premier; parliamentary assistant to Minister of Intergovernmental Affairs; Chair, standing committee on administration of justice / adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales, Président du Comité permanent de l'administration de la justice
Marland, Margaret	Mississauga South/-Sud	PC	Chair, standing committee on government agencies / Présidente du Comité permanent des organismes gouvernementaux
<b>Martel, Hon/L'hon Shelley</b>	Sudbury East/-Est	ND	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines



Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Martin, Tony	Sault Ste Marie / Sault-Sainte-Marie	ND	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Mathysen, Irene	Middlesex	ND	parliamentary assistant to Minister of Environment and Energy / adjointe parlementaire du ministre de l'Environnement et de l'Énergie
McClelland, Carman	Brampton North/-Nord	L	
McGuinty, Dalton	Ottawa South/-Sud	L	
McLean, Allan K.	Simcoe East/-Est	PC	Vice-Chair, standing committee on government agencies / Vice-Président du Comité permanent des organismes gouvernementaux
McLeod, Lyn	Fort William	L	Leader of the Opposition / chef de l'opposition
Miclash, Frank	Kenora	L	opposition deputy whip / whip adjoint de l'opposition
Mills, Gordon	Durham East/-Est	ND	parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels
Morin, Gilles E.	Carleton East/-Est	L	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
Morrow, Mark	Wentworth East/-Est	ND	
Murdoch, Bill	Grey-Owen Sound	PC	
Murdock, Sharon	Sudbury	ND	parliamentary assistant to Minister of Labour / adjointe parlementaire du ministre du Travail
Murphy, Tim	St George-St David	L	
North, Peter	Elgin	Ind	
O'Connor, Larry	Durham-York	ND	parliamentary assistant to Minister of Health / adjoint parlementaire de la ministre de la Santé
O'Neil, Hugh	Quinte	L	
O'Neill, Yvonne	Ottawa-Rideau	L	
Offer, Steven	Mississauga North/-Nord	L	
Owens, Stephen	Scarborough Centre/-Centre	ND	parliamentary assistant to Minister of Finance / adjoint parlementaire du ministre des Finances
Perruzza, Anthony	Downsview	ND	parliamentary assistant to Chair of the Management Board of Cabinet / adjoint parlementaire du président du Conseil de gestion
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Poirier, Jean	Prescott and Russell / Prescott et Russell	L	
Poole, Dianne	Eglinton	L	Vice-Chair, standing committee on public accounts / Vice-Présidente du Comité permanent des comptes publics
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Ruprecht, Tony	Parkdale	L	
<b>Silipo, Hon/L'hon Tony</b>	Dovercourt	ND	Minister of Community and Social Services / ministre des Services sociaux et communautaires

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Sola, John	Mississauga East/-Est	Ind	
Sorbara, Gregory S.	York Centre/-Centre	L	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West/-Ouest	PC	
Sullivan, Barbara	Halton Centre/-Centre	L	
Sutherland, Kimble	Oxford	ND	parliamentary assistant to Minister of Finance / adjoint parlementaire du ministre des Finances
<b>Swarbrick, Hon/L'hon Anne</b>	Scarborough West/-Ouest	ND	Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	Progressive Conservative deputy whip / whip adjoint du Parti progressiste-conservateur
Villeneuve, Noble	S-D-G & East Grenville S-D-G & Grenville-Est	PC	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
<b>Ward, Hon/L'hon Brad</b>	Brantford	ND	Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances
<b>Wark-Martyn, Hon/L'hon Shelley</b>	Port Arthur	ND	Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé
<b>Warner, Hon/L'hon David</b>	Scarborough-Ellesmere	ND	Speaker / Président
Waters, Daniel	Muskoka-Georgian Bay	ND	parliamentary assistant to Minister of Culture, Tourism and Recreation / adjoint parlementaire de la ministre de la Culture, du Tourisme et des Loisirs
Wessenger, Paul	Simcoe Centre/-Centre	ND	parliamentary assistant to Minister of Health; Vice-Chair, standing committee on the Legislative Assembly / adjoint parlementaire de la ministre de la Santé, Vice-Président du Comité permanent de l'Assemblée législative
White, Drummond	Durham Centre/-Centre	ND	parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales
<b>Wildman, Hon/L'hon Bud</b>	Algoma	ND	Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones
<b>Wilson, Hon/L'hon Fred</b>	Frontenac-Addington	ND	Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement
Wilson, Gary	Kingston and The Islands / Kingston et Les Îles	ND	parliamentary assistant to Minister of Housing; Vice-Chair, standing committee on the Ombudsman / adjoint parlementaire de la ministre de Logement, Vice-Président du Comité permanent de l'ombudsman
Wilson, Jim	Simcoe West/-Ouest	PC	
Wininger, David	London South/-Sud	ND	
Wiseman, Jim	Durham West/-Ouest	ND	parliamentary assistant to Chair of the Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs / adjoint parlementaire du président du Conseil de gestion, Vice-Président du Comité permanent des finances et des affaires économiques
Witmer, Elizabeth	Waterloo North/-Nord	PC	
Wood, Len	Cochrane North/-Nord	ND	parliamentary assistant to Minister of Natural Resources / adjoint parlementaire du ministre des Richesses naturelles
<b>Ziemba, Hon/L'hon Elaine</b>	High Park-Swansea	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales



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**Social development/Affaires sociales**

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Yvonne O'Neill, Stephen Owens, Tony Rizzo, Jim Wilson  
Clerk/Greffier: Douglas Arnott

These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Ces listes figurent dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.







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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 3 May 1994

# Journal des débats (Hansard)

Mardi 3 mai 1994



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers

*50th anniversary*

*1944–1994*

*50<sup>e</sup> anniversaire*

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 3 May 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 3 mai 1994

The House met at 1333.

Prayers.

## MEMBERS' STATEMENTS CHILDREN'S AID SOCIETIES

**Ms Dianne Poole (Eglinton):** The Conservatives strike again: one message one day, a different message the next.

Yesterday during a response to a minister's statement, the Conservative critic for women's issues spoke about the crisis facing children's aid societies. She noted they have suffered from increased case loads and funding shortfalls.

She said: "The PC Party believes that Ontario's most vulnerable children have been forced to go without this additional support and protective services. I believe, as does our party, that it's absolutely time we...focus on really making children in this province a priority."

Less than 24 hours after that statement was made, the Conservative leader announced his party's economic agenda. Included in his agenda is a promise to cut government spending by 20% in three years. The only areas exempted from the cut would be health care, classroom size and law enforcement. Children's aid societies were not protected.

Why wasn't protection of the most vulnerable children guaranteed in the Tory economic agenda? Do the Conservatives really believe they can say one thing one day and contradict themselves the next without anybody noticing?

By not guaranteeing security for the children who need it the most, those helped by children's aid societies, this so-called Common Sense Revolution has neglected to protect our single most important investment for the future. To me, that makes no sense at all.

## MINING INDUSTRY

**Mr Leo Jordan (Lanark-Renfrew):** Toronto '94 brings together this nation's largest mining event ever. The 96th annual general meeting of the Canadian Institute of Mining, Metallurgy and Petroleum is the focal point of Toronto '94. Founded in 1898, this association represents 20,000 mining professionals. Associated with this annual meeting is Tradex '94, which provides a showcase for new mining products, technology and services from Canadian, US and overseas companies.

I would like to take a moment to reflect upon how important the mining industry is to our province. Mining provides Ontario with 86,000 direct and indirect jobs and \$7 billion in new wealth creation each year.

However, the industry is currently facing a loss of jobs and investment despite our abundance of mineral resources. The reason for these losses is this government. The NDP has generated so much red tape between the

Ministry of Environment and Energy and the ministry responsible for mines that it can take up to 10 years to open a mine.

Through our Common Sense Revolution launched today, the Conservative Party has promised to slash the red tape that holds back industrial investment. We look forward to discussing our plan with the Ontario Mining Association when they meet with us next week.

## FAMILY VIOLENCE

**Mr Paul Klopp (Huron):** This is the International Year of the Family. There are currently new approaches being taken for dealing with the persistent social issue of domestic violence. During this year a number of communities are forming partnerships and collaborative approaches in rural and farming areas in Ontario. A focus on domestic violence in rural areas does not imply that violence is more serious in rural areas, but rather that the issue has to be handled differently.

A farm woman has many decisions to make and things to consider when she is thinking of leaving a violent home. She may have the responsibility of animals on the farm. She may be leaving a business that she has helped to build for many years. Unlike many urban women, she must often leave her job and her community. She has an attachment to the land. A farm woman lives with her business partner.

Four projects are presently under way in Ontario as well as across Canada. Fear on the Farm is a positive and solution-oriented video and study guide. It promotes a community partnership approach for dealing with family violence in rural areas. The Canadian Farm Women's Network co-produced the video and study guide with Birdsong Communications. The Ontario Farm Women's Network is developing a project to raise awareness of this issue and to promote community action which will reduce domestic violence in rural communities.

A workshop founded by the Ontario women's directorate has been designed to build on the message from the Fear on the Farm video. The workshop is taking place on May 6 and is called Building Support for Community Action. At this workshop community people, service providers, policymakers and researchers will discuss existing and future actions for dealing with domestic violence, and this will be held in Guelph.

I'd like to thank the Farm Women's Network for this great work that they are doing on behalf of the rural farm families.

## NEW DEMOCRATIC PARTY EMPLOYEES

**Mr Steven Offer (Mississauga North):** Last week I rose in the House to inform members that nepotism was alive and well in the NDP caucus. I shared with members example after example of how the corridors of power

were full of NDP family members. Today I rise with yet another example where the NDP has crossed the line when it comes to patronage and nepotism.

Everyone in this House knows that Janet Solberg is a very active New Democratic political adviser. She is the past president of the Ontario New Democratic Party and she currently acts as the NDP spokesperson on TVO's Fourth Reading.

In what has to be one of the most bizarre twists of both nepotism and patronage, Janet Solberg was paid more than \$4,000 by the Minister of Education to work on the implementation of the Stephen Lewis report. Stephen Lewis, of course, is none other than Janet Solberg's brother.

I guess there were no experts available from any of the communities affected by the Lewis report, so you might as well bring in his sister to get the job done.

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This wasn't the only contract that Ms Solberg has received from the Minister of Education. It would appear that she is also an expert on violence in the classroom. Why else would she be paid \$5,000 to be the minister's mouthpiece on a committee of 30? Was no one from the minister's bloated personal staff of 25 able to tear themselves away from the soaps to sit on this? Weren't any Mackenzies available part-time?

The people of Ontario want jobs. They are tired of seeing their family members struggle to find work while NDP family members belly up to the public trough. When will this nepotism and patronage end?

#### DANGEROUS OFFENDERS

**Mr David Turnbull (York Mills):** I have repeatedly urged this Legislature to take swift action to deal with the dangers associated with high-risk repeat offenders. My private member's bill on this issue, which has been on the books since 1992, requires persons convicted of a sexual offence involving a child under the age of 14 to register with the local police upon moving into the community. I firmly believe that the public has a right to know if convicted paedophiles and high-risk repeat offenders are living in the neighbourhood.

Last week the Minister of Justice and Attorney General of Canada, Allan Rock, said, "We have to protect children from repeat abuses by people who have been convicted of these offences." I'm delighted that he plans to put in place a national registry of child abusers.

Mr Rock, along with the federal Solicitor General and the Minister of Health, will be working with their Ontario counterparts to move expeditiously on these matters. I urge the Ontario counterparts to cooperate fully in this endeavour.

It's time that all legislators take responsibility for the fact that the existing law allowed Joseph Fredericks, an eight-time convicted child molester, to be free when he abducted Christopher Stephenson and allowed a high-risk repeat sex offender to be released into the York Mills community even though psychiatrists suggested he would strike again.

Society's interest in protecting the vulnerable victims who've suffered at the hands of paedophiles and sex

offenders must take priority over the individual rights of repeat offenders deemed to be high-risk releases.

#### THE PRINCE CHARLES ELEMENTARY SCHOOL

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** From time to time members of the Legislative Assembly have students from their respective ridings come to the Legislative Building in Toronto for tours, and I want to say that today three groups of students from Prince Charles school in Napanee are visiting the Legislature. The school has a total of 550 students. It employs about 30 people in the Napanee area. Classes range from junior kindergarten to grade 8.

It is a triple-track school. There are three diverse groups of students who attend this school: One is a regular English program group, two is a special-needs group of students and three is a bilingual French and English program.

Today visiting students from Prince Charles school come from two bilingual classes and one English class. I want to welcome them, first of all, to Toronto and to the Legislative Building at Queen's Park, where I hope they have a most enjoyable tour today. They will have an opportunity to learn much about government in the province of Ontario, provincial government in particular.

I want to also say that I look forward to the opportunity that I will have later this afternoon to meet them and their teacher Mike Kelly and to have my photograph taken with them on the steps of the staircase in the Legislative Building, a place where I know many of my colleagues, from time to time, have their photos taken with students from their constituencies.

#### PROVINCIAL PARKS

**Mr Michael A. Brown (Algoma-Manitoulin):** I was surprised to learn earlier this morning that the Minister of Natural Resources has decided to close eight provincial parks throughout the province.

Aaron, Carson Lake, Devil's Glen, Ferris, Foy, MacLeod, Selkirk and Sioux Narrows provincial parks, which contain over 400 campsites and many public areas, will be closed. The Ministry of Natural Resources is claiming that these closures have taken place in an effort to save costs; however, while the government will save less than \$300,000 through closing these parks, it sacrifices up to \$7 million in the local economies and many jobs in the local economies and much revenue to the Treasurer of Ontario.

This move makes absolutely no economic sense to the communities of Kenora, Dryden, Brighton, Geraldton, Wasaga Beach, Barry's Bay and Selkirk. It is a desperate move by a desperate government. The government's desperation is revealed by the fact that in the provincial parks guide for 1994, all these parks were open and they were taking reservations until yesterday.

I find that the minister has not said a word about this, but he talks a lot about his Keep it Wild campaign, which has satisfied absolutely nobody.

Minister, your actions have left everyone wondering in this province what your official policy is on the creation and maintenance of parkland in Ontario. It's another example of pay more, get less.



## SMALL BUSINESS

**Mr Ted Arnott (Wellington):** Today a ray of light, the light of hope, shines on Ontario's horizon because today Mike Harris unveiled his commonsense approach to boosting the economy through cuts to income taxes, the elimination and reduction of certain business taxes and control of government spending.

This plan will stimulate the economy and improve consumer confidence and business confidence and spawn hope in Ontario.

Our Mike Harris Task Force on Creating Jobs Through Small Business has been hearing this message time and time again: To create jobs, we must cut red tape, cut taxes and reduce government expenditures.

In Wellington county during task force consultations with the Elora and Maryborough chambers of commerce and the Centre Wellington Economic Development Committee, I was told that the government, through its excessive tax and regulation policies, is stifling economic growth in Wellington county.

All of this interference by big government has led to a stagnant economy in Wellington county which creates too few new jobs, a doubling of our welfare rolls in three short years to over 2,000 in Wellington county alone on social assistance and an unacceptable level of unemployment which since January has continued to go up in our area, not down.

In Wellington county it is small business that is the largest job creator and wealth generator. The message to our small business task force that we've been taking to the government is very, very clear: In order to help create business confidence, government must get off the backs of small business people.

We need to deregulate and detax those who can create the jobs, our small business people, and then call upon them to reinvest and expand and create the jobs we need.

We will continue to press the government to remove its millstone from the back of small business so that communities in Wellington county and across the province can once again prosper.

## MIDDLESEX COUNTY BOARD OF EDUCATION

**Mrs Irene Mathysen (Middlesex):** Happy Education Week to you.

On January 1, 1994, the Middlesex County Board of Education marked the 25th anniversary of its inception. During these years, the board has accumulated a proud history of achievement.

Until the new Middlesex county board came into being in 1969, education in the county had been provided by 22 boards and two authorities under the supervision of the regional office of the Department of Education. A total of 242 trustees served on these small boards.

In December 1968 a new 16-member board was elected. The late John Gummow was appointed as the new director and, with one other staff person, began the monumental task of integration of the former boards and the exciting business of planning for the future.

During the past 25 years, the Middlesex County Board of Education has dealt with increasing enrolments,

declining enrolments, building expansions, new policies and programs, financial restraints, personnel changes, the need for a variety of services for all the students attending our schools, boundary changes, transportation requirements, reorganization, annexation, amalgamation, ministers' orders and downsizing. Through it all, Middlesex has provided a quality of education second to none because of our committed trustees, teachers, staff support, students and parents.

Last Friday evening we gathered in Ilderton to celebrate those 25 years and to look ahead to a future in which we will continue to see the best possible education for the students of Middlesex county. As our slogan says, "Today's Child, Tomorrow's Future."

## EMERGENCY SERVICES

**Mr Peter North (Elgin):** My statement is to the Minister of Health. Minister, as you are aware, rural Ontario is having great difficulty in keeping emergency wards open at full service. Today marks a sad day for the Four Counties General Hospital in Newbury, with the closure of the emergency services between midnight and 8 am.

Now this at first blush may not seem bad to you, but it has many ramifications for the people this hospital services. It is now 40 minutes in any direction for that life-threatening injury or illness to be attended to. There's also the aspect of dealing with a much busier hospital once you finally get there.

One of the other aspects that has become a real thorn in rural Ontario's side is the situation the doctors have been put in. Rural Ontario has for some time had a great difficulty in attracting doctors. The doctors we do have have tremendous workloads and have almost ceased to take new patients.

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The opportunity to intern at some rural hospitals gives young doctors a chance to get a flavour of rural Ontario. Four Counties was one of those hospitals.

Our physicians have been pushed into a position of choosing office over emergency services, forgoing hospital privileges in some cases, most likely not by choice but by necessity.

The people of Elgin are disappointed in the situation for both the client and the doctors at Four Counties and St Thomas Elgin General Hospital. You are the Minister of Health for all Ontario and we look to you to recognize the value of rural medicine in both the emergency room and the office.

Please do not continue to urbanize services throughout rural Ontario. The people of Elgin pay the same taxes that you do. We need our physicians in our hospitals and would appreciate your understanding in this regard.

## VISITORS

**The Speaker (Hon David Warner):** I invite all members to join me in welcoming to our chamber, and seated in the Speaker's gallery, a delegation from the Parliament of Croatia headed by Mr Mladen Vedris, member of Parliament, and accompanied by Miss Vesela Mrden of the Croatian embassy. Please welcome our special guests.

STATEMENTS BY THE MINISTRY  
AND RESPONSES  
HEALTH CARDS

**Hon Ruth Grier (Minister of Health):** Today I would like to announce strong new government action to protect the integrity of our health care system and to preserve it for the future.

We have built a first-rate health care system here in Ontario and we have to look after it. That's why we are taking action to protect Ontario's publicly funded system, by deterring and detecting those who would defraud it.

The Liberals introduced new health cards in the late 1980s, but in their haste to get the red and white cards out, they neglected important security features.

Fraud, abuse and misuse are problems caused by a small number of people, but their irresponsible actions hurt us all.

The Ministry of Health will begin issuing new photo health cards to every eligible person in Ontario. The cards will contain several new security features.

Each card will bear a digitized photograph and signature and a holographic overlay to prevent counterfeiting. The birthdate, expiry date, name, address and sex will be printed on the face of each card. The card will have a magnetic strip and bar code. As we expand the use of swipe reader technology, hospitals and other providers will be able to verify the card every time it is used.

Everyone in Ontario will be reregistered, after which we will begin a five-year renewal cycle. A renewal cycle is essential to maintain security and confirm eligibility. Reregistering people and issuing almost 11 million new cards will take three years. To improve customer service, people will register at the Ministry of Health's 20 regional offices or the Ministry of Transportation's 360 licensing offices.

It will never be possible to determine the exact amount of fraud. Based on expert advice, we calculate that the photo card and additional security measures will prevent about \$65 million in fraud and misuse annually.

We will be ready to issue the first card early in 1995, and the cost will be about \$30 million a year for three years. Thereafter, the annual cost will be about \$19 million a year.

During the reregistration process, and each time a card is renewed, the holder will be required to provide original documents that prove eligibility for OHIP.

The ministry now requires anyone who applies for a new or replacement card to provide proof of eligibility for OHIP before the card is issued.

Starting in August, any new card issued will contain additional information.

The card is the key to a \$17-billion health care system, a system that for too long has been neither secure nor controlled. Doctors recognize this, which is why we agreed to a photo card in negotiations with the Ontario Medical Association last summer.

We are taking all the reasonable steps we can to detect and fight misuse of the system by both consumers and providers.

For example, the ministry is currently working with the College of Physicians and Surgeons of Ontario to expand the Medical Review Committee that looks into questionable billings by doctors.

The ministry also conducts random spot checks on OHIP billings, by contacting consumers to confirm that they received the services being claimed by their health care professional.

Last year we introduced Health Network, a new system that links pharmacies by computer. This system helps prevent drug fraud in the Ontario drug benefit program. It also protects people against potentially dangerous drug interactions.

In the near future the ministry will expand card swipe readers to at least 100 hospitals across the province. These machines will enable the hospitals to verify OHIP cards every time they are used. The combination of the new card and swipe technology will help prevent abuse by both patients and doctors. Any abuse drives up the cost of care and undermines our precious system.

The ministry's OHIP verification unit scrutinizes thousands of files each year. Last year we established an investigation unit to follow up on all suspected cases of fraud. More than 170 cases are now under investigation.

I'm pleased to announce today that we are hiring eight new investigators who will find those people who steal from the health care system through fraud and abuse. The people of Ontario will not tolerate abuse of their health services, and any amount of fraud is unacceptable.

The photo cards, tighter management and security controls and additional investigators will go a long way to protect and preserve our health care system. They are all part of our government's strategy to ensure that Ontario's health care dollars are spent wisely and appropriately. Since the public has become more aware of the fraud problem, the ministry has received hundreds of calls on our toll-free line from people reporting inappropriate use of the system.

I know how much the people of Ontario treasure our system of universal medicare. It helps to identify us as Canadians, as members of a more caring and compassionate society.

In the last three years, our government has done more to protect health services in Ontario than any government has done since health insurance was introduced in 1972. We have brought health care costs under control. We have introduced a comprehensive strategy for cancer care. We have begun to restructure our hospitals, redirect long-term care and reform our mental health system. We have done a great deal, and we will do more.

My announcement today represents strong action that demonstrates our commitment to protecting health care for Ontarians.

**The Speaker (Hon David Warner):** Responses?

**Mrs Barbara Sullivan (Halton Centre):** The minister's announcement today is a 1980s answer to health information needs as we close in on the end of this century. She will be spending \$130 million over five years to add one new piece of information to our health cards, and that's an expiry date.



Her special investigator admitted in a news conference earlier today that only \$120,000 in fraudulent claims are now being pursued through the courts. If that sounds like overkill, think about the requirement that everyone will have to produce a birth certificate or a passport in the original to obtain a health card. I'm asking the minister if she has any idea how long it takes to obtain a birth certificate. In fact, people who are being spot-checked now by OHIP indicate that they have been asked to produce a birth certificate in 15 days, but it takes at least a month and sometimes up to three months to obtain a birth certificate through the Registrar General.

The minister says \$65 million in annual fraudulent claims will be saved by this system, but she can only provide evidence for \$120,000. In fact, in the news conference earlier today she indicated that it was very clear there was no real information on how much fraud existed in the system.

The minister will require everyone to line up at a Ministry of Transportation office across the province, but she gives no details about how children will be treated, how the disabled will be treated, how people in long-term care facilities will be treated. Those details are still being worked out, she says. None the less, we should know: Are people going to be expected to register by birthdate? If yes, that means that in a family like mine, with four children, we will have to go to those MTO offices six times.

The minister says that swipe technology will be introduced in hospitals but gives no indication of any consultation or discussions with respect to the compatibility between the health card and the hospital systems.

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The minister says that doctors will be required to use interactive voice technology, which the Ontario Medical Association itself has said, and demonstrations in this very House have indicated, doesn't work.

The minister speaks about the drug network, but she doesn't tell us that pharmacies are only able to bring up information about patients who have already received prescriptions within that individual pharmacy. They aren't linked to physicians and they aren't linked to other pharmacies, and so far the network in fact is one that is merely an administrative device for the local pharmacy.

I believe that the minister should be putting the \$130 million that she has indicated will be spent into an appropriate health information system that links OHIP providers and patients with information regarding care management, administration and research. Such a system would enable a physician who is treating a patient to know precisely what other treatments and interventions the patient has received, whether that's drugs, lab tests, X-rays or other diagnostic imaging.

We know that a major problem with seniors' health care is overdrugging, and a careful monitoring through an information system would assist with patient care. We're not getting that out of this \$130 million.

There is also a possibility that, through a proper information network, duplication in ordering of lab tests and of X-rays could be eliminated in the system.

People have told us that their records are scattered. Such a system could ensure that they would have available in one place their full health record. Further, patients could have a full annual or semiannual report on the costs of their individual health care to the system as a whole. Additionally, patients could also have a full report on who has requested their health information and for what purposes.

Administrative improvements would also result. When we hear that physicians today are filing by disc, what we don't hear is that in fact they are taking a disc out of their computer and popping that disc in the mail and sending that off to OHIP. A new, appropriate system would mean, clearly, more efficient administration and would give a clear picture of physician practices.

The major problem in health care today is inadequate planning information. For planning purposes, an information network can provide non-personal links and epidemiological data to ensure that we have appropriate information to plan.

People in Ontario want to be assured that only those who are eligible for medicare in fact receive it. They also want to be assured that our health care system is planned and operated efficiently and that the technological advances that are considered routine in other sectors are appropriately used in our health care system. I urge the minister to use that \$130 million more wisely than she's indicated she's doing with this announcement today.

**Mr Jim Wilson (Simcoe West):** It is with mixed emotions that I stand in response to the announcement made by the minister for a new photo ID health card system. After bringing this issue to the government's and the public's attention for the past two years, I am pleased that an attempt is being made to deal with the health card fraud problem.

In their haste to go to the polls in 1990, the Liberals gave Ontario a health card system with plenty of holes. The Liberals gave us a system where health cards were mailed to dogs and cats. The Liberals allowed anyone to register for health care coverage in Ontario without bothering to check whether or not these individuals were even entitled to coverage. The results have been hundreds of millions of dollars of fraud on an annual basis and the issuing of more than 12.5 million cards to a population of just over 10 million in Ontario.

With today's announcement, Bob Rae has borrowed a page from David Peterson's less-than-successful campaign blueprint. It's déjà vu all over again. With the first cards scheduled to be issued in February 1995, the people of Ontario can now start to prepare for an election next spring. However, I would caution the NDP: The public saw through the Liberal strategy, and they will see through Bob Rae's attempt to trick voters into thinking the government has given them an effective, fraudproof health card system.

Last summer, the government announced its plans to bring in a photo health card. In the public accounts committee, the former deputy minister, Michael Decter, said a decision had been made to "add a photo to the card and to move to a renewal cycle." In other words, the deputy made this announcement over nine months ago.

Now, after the fraud clock has ticked for several more months, Minister, you're today making virtually the same announcement, and hundreds of millions of dollars of fraud have gone on since your deputy announced that he would be bringing this in.

Given the foot-dragging on bringing in a new system, I would have thought that the NDP would have investigated other health card options, rather than simply sticking to putting a photo on a flawed system.

This year, the government has undertaken to create three different new cards and systems for the ministries of Transportation, Community and Social Services, and now again Health. Wouldn't it have made infinitely more sense to create one card for all Ontarians that identifies the benefits and entitlements for each resident? Rather than having several gatekeepers for many different ministries, why not just have one?

Simply sticking a photo on a card will not reduce fraud. In fact, I'm told it may help to perpetuate the fraud cycle, especially given the relatively short time lines to reregister the population. It's easy for photos to be replicated on cards, even with digital technology. With a photo now on it, the health card will be viewed as a legitimate piece of ID that will facilitate a further ripping off of our social services system.

I'm also concerned that this photo system is being built on the foundation of an extremely flawed health computer database. Currently, anywhere from 25% to 30% of the addresses in OHIP's computers are inaccurate. There are still tens of thousands of duplicate registrations, and, Minister, you admitted yourself earlier today you have no idea how much fraud is really occurring in the system.

As a result, OHIP has no way of determining who is eligible and who isn't. Combine this with the ease with which people can obtain birth certificates in this province, and you've got an NDP health card system, from a fraud perspective, that resembles the old Liberal system. There is also nothing in this announcement that encourages people to attach some value and worth to their cards like they would to a credit card.

Today, the government had a chance to bring in a Cadillac information system. Instead, they've elected to repair the same old lemon. The system is based on magnetic strip technology that was discovered and introduced during the Second World War. A photo ID does nothing to avoid the duplication and waste that are currently in the health system.

A smart card computer chip system could virtually eliminate fraud and provide the necessary information on patients' needs and medical treatments. The government has argued against this system on the basis of cost. However, a banking consortium offered to establish this system with no startup cost to taxpayers. A similar consortium told my health advisory committee that a smart card system could pay for itself in just two years by virtually eliminating fraud, duplication and waste.

The government says the current Liberal health card system cost taxpayers \$30 million, but this figure could be as high as \$75 million. Now the government's announcing a new system that isn't much better which

will cost taxpayers anywhere from \$109 million to \$130 million. As a result, Ontario taxpayers have invested anywhere from \$149 million to about \$200 million in a card system that provides health professionals and analysts with no medical information on patients. We still have no details on how the government will register children. Nine months after deciding on this system, Minister, you still haven't figured that one out.

What we need is a health information system that eliminates fraud and provides information on patients and that prevents duplication and waste. What we're seeing again is a Liberal solution designed to capture votes and trick the public into thinking that Ontario's health card problem is solved. History will judge this government and its solution quite harshly.

## ORAL QUESTIONS

### PUBLIC SAFETY

**Mr Sean G. Conway (Renfrew North):** My question today is for the minister of justice. Minister, it's almost a month ago that my leader, Lyn McLeod, leader of the Ontario Liberal Party and Leader of the Opposition, indicated to your government that we were prepared, as an opposition party, to engage not just the government but other members of the Legislature immediately in the justice committee so that together we could move forward to develop a package of proposals that would deal responsibly with the rising tide of public concern around safe and secure communities.

At that time, the Solicitor General indicated, on behalf of your government, that he was quite favourably disposed to that constructive suggestion. Minister, nearly a month has passed and we have no action, no leadership and no response from your government. Will you, as the senior minister responsible for the justice policy field in the Rae government, indicate to the House today what you plan to do and when you plan to do it, in response to the suggestion made by the Leader of the Opposition almost a month ago?

1410

**Hon Marion Boyd (Attorney General):** As has been stated in this House a number of times, the government House leader is responsible for negotiating this with the House leaders on the other side, and I refer the question to him.

**Hon Brian A. Charlton (Government House Leader):** It's an interesting question, which has come several times in this House from the official opposition since the opposition leader made her request a month ago.

At the first House leaders' meeting after the leader of the official opposition made her request, the House leader for the official opposition came to that House leaders' meeting and suggested a very narrow focus, two specific topics, which I responded to within a matter of a few days, and we have gone through some discussions with all three parties around that focus. Several items were added and withdrawn during those discussions.

Then, last Thursday, the official opposition totally changed its stance around what it wanted to discuss in that committee.



*Interjections.*

**Hon Mr Charlton:** The acting House leader for the official opposition suggested—

**Mr Tim Murphy (St George-St David):** That's not true.

**The Speaker (Hon David Warner):** The member for St George-St David.

**Hon Mr Charlton:** —that we should open up the very narrow focus which his colleague had originally proposed and reopen the entire discussion with the three parties.

When the request is made to seek an all-party, non-partisan approach to violent crime issues, that means reaching a consensus among the three parties. As the opposition parties continue to shift the sands in those discussions, it makes it somewhat difficult to reach that consensus.

*Interjections.*

**The Speaker:** Order.

**Mr Conway:** The government House leader has raised most serious and delicate matters of privilege, which will be dealt with by my colleague the member for Bruce.

A supplementary to the minister of justice: I say to the minister of justice that in this question one of the areas about which there is a growing concern in the public has to do with youth gangs. In just the recent past, we have a federal report concerning youth gangs. That report highlights a number of things. I just want to mention a couple of those highlights. A just completed federal report on youth gangs concludes, among other things, "It is now not uncommon to find students in the earliest primary grades committing serious acts of violence." Furthermore, the report just released by the federal government indicates, "The presence of guns, gun replicas and other serious weapons is becoming a widespread presence in schools." It goes on to report, "Extortion and drug dealing are becoming a routine part of the school day in a number of communities."

Having regard to the findings of this recent federal report and again a concern in the public about youth violence and particularly about youth gangs, can the minister of justice for Ontario indicate what her strategy is in dealing with this part of this overall problem?

**Hon Mr Charlton:** The member's question, which I believe has been referred to me, is a question that I'll certainly take under consideration and discuss with my colleague and get back to the member.

**Mr Conway:** A final supplementary to the minister of justice about a concern that if it's not a priority for her government, is damned well a priority for the 10 million people in this province: Tomorrow is the second anniversary of the Yonge Street riots in this city, two years ago, a watershed development in the life of this community.

At that time, your government said that in addition to a number of things, including the work of Mr Stephen Lewis, your government was going to develop and implement a comprehensive strategy dealing with the root causes that are sending so many young people into the streets to commit offences and to express their despair

and disillusionment about their circumstances. That was a commitment solemnly made by your government two years ago.

I ask you today, as minister of justice for Ontario, what can you report as to the development and the implementation of that comprehensive strategy to get at the root causes that are underlying so much of the problem with youth in Ontario today?

**Hon Mr Charlton:** My colleague the Attorney General and my colleague the Solicitor General have both set out fairly clearly in this House in the last few weeks a number of very significant initiatives which this government has already undertaken, including some that the opposition was still asking as questions, while we've proceeded over the last several years to implement some of those items, in the absence of any understanding on the part of the opposition.

As I've said, I will consult with my colleague about the content of the member's question, but the member should know that the government has been working to deal with issues around violent crime on the streets of this province as they arise, and both of my colleagues, the Attorney General and the Solicitor General, will be making their own statements in this Legislature with respect to the government's initiatives in that regard.

**HEALTH CARE**

**Mr Sean G. Conway (Renfrew North):** A question to the Minister of Health: Last summer she indicated that she, with her partners in the health care community, was going to develop a new, improved underserved area program for the province of Ontario. At that time, I believe it was in August, the Minister of Health said that she would develop and make available by I believe the end of September 1993 a new list of eligible communities in the province, which communities could qualify under her new, improved underserved area program.

Will the Minister of Health today indicate if she has in fact developed, as she promised, that list, and will she today table the list of eligible communities in Ontario, communities that will be eligible under her new, improved underserved area program?

**Hon Ruth Grier (Minister of Health):** Last August I negotiated an agreement with the Ontario Medical Association where we jointly undertook responsibility for dealing with the historic problem of underserved areas and how to attract professionals, particularly physicians, to those areas. As part of those negotiations, there was a provision for a master contract and direct contracts for physicians to go to those communities. In conjunction with that, there was to be a clearer designation of communities where direct contracts would be applicable and of communities that would continue to be designated by their application and the process that had been in place for some time.

I regret that our discussions with the Ontario Medical Association have not been completed or led to the completion of those contracts and so I'm not in a position today to add anything to the way in which communities are designated or to the list of designated communities that has always been there.

**Mr Conway:** So there is no list and there is nothing to report to these communities.

For the last number of days—just a few moments ago we had the member for Elgin on his feet, telling a story about his community—we've had my colleagues from Bruce, from Kenora, from Manitoulin, from Northumberland, myself in the Ottawa Valley, a number of other communities. In Peterborough county, we have the local press reporting about the Minister of Agriculture, Food and Rural Affairs who is rightly pointing to deficiencies in that large urban community of Peterborough city and Peterborough county.

Kenora, Peterborough, Newbury, Goderich, Trenton, Barry's Bay, Mount Forest, Deep River, the list goes on: the beat goes on: Thousands of people living in small rural communities and now in larger centres like Peterborough are asking their members to ask their government, "What is your plan?"

Since you are the Minister of Health, you have the sole and exclusive power to designate communities as being eligible for much-needed general practitioners and specialists. What, Minister, do you say to all these communities that are crying out for action on your part as Minister of Health in this province?

**Hon Mrs Grier:** The member in his first question asked me for a list. He then rhymed off a list. I am well aware of the communities he mentions; so are the members for those areas. They are aware of the work that has been done between the academic health science centres, the Ontario Hospital Association, the OMA and my ministry in order to deal with the problems in those communities.

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But I hope the member will not fall into the very simplistic view of believing that because a community's name is on a list, that necessarily means the physician goes to that community. I assume that if it had been that simple, the previous government would have designated and dropped doctors into every community on every list. He knows, as we know, that one does not force, under our health care system, physicians to practise in a community or with a community where they do not wish to go.

We have, under our designated areas program and the underserved areas program, financial incentives to get doctors to go there. That does not necessarily attract the physicians to go there. I happen to believe that our method of remunerating physicians works against encouraging physicians to go to many of these rural and remote areas, and I'm working to do something to change that.

**Mr Conway:** What I know, Minister, is what you said last summer, and last summer, in August, you stood proudly in your place and you said, "I, Ruth Grier, have a plan, and I, Ruth Grier, will produce a list of communities not later than September of 1993." That is what you said. Now we have a confession of defeat, of inaction and of failure, and the people in Peterborough and Kenora and Newbury and Deep River and many other communities are noticing.

Let me take you back one last time to the

Peterborough example. You and your officials are saying: "Oh, there's no problem in Peterborough. Our numbers indicate that there are 118 family physicians in the Peterborough area." The Peterborough community is saying: "Not so. In fact, our numbers suggest and indicate 75 family physicians, and we believe"—

**The Speaker (Hon David Warner):** Could the member place a question, please.

**Mr Conway:** —"those are real numbers," they say.

My question: Given the Peterborough example, where there seems to be a very real gulf in just the database, can I ask you, since you have no list, since you have no criteria, since apparently you have no action plan, can you tell the people of Peterborough what you're using as a database to explain how it is that you seem to be at such odds with the local community?

**Hon Mrs Grier:** I hope nobody listening to the histrionics of the honourable member will be under the illusion that by merely naming a community as underserved one suddenly produces doctors. If the member is suggesting that I go out among the physicians of this province and say, "You, you, you and you, go to Peterborough; that's the way we deal with the health care system," again I wonder why his government didn't do it, because that's not the way the health care system works.

What our government did, and what his government was unable to do, was to negotiate an agreement with the Ontario Medical Association that provided for direct contracts which would have physicians on salary, on contract, in those areas that were designated as difficult to serve.

Unfortunately, the implementation of that agreement has not been achieved within the time frame that I had anticipated last August. I profoundly regret that. I share the member's concern, and I can assure him with respect to Peterborough that the member for Peterborough and I, and the district health council for Peterborough and I, have had a number of discussions around how they can best attract doctors to deal with their particular problem. But I assure the House that merely putting the name of a community on a list, as the member opposite seems to think, does not solve the problem.

**The Speaker:** New question, the leader of the third party.

*Applause.*

**Mr Michael D. Harris (Nipissing):** I don't know if they're applauding you, Ruth, or both of us perhaps.

TAX REDUCTION

**Mr Michael D. Harris (Nipissing):** My question is to the Treasurer. Because the Premier and the Minister of Economic Development and Trade are not in the House today and there was no statement today, perhaps I could, to the Treasurer, offer congratulations to the government, offer congratulations to premiers Rae and Johnson on the signing of a historic agreement today, and publicly, through the Deputy Premier and the Treasurer, the Minister of Finance, indicate our strong support for the actions taken by the government in securing the trade agreement with the province of Quebec.

However, having done that, I do have a question for



the Treasurer in another area. Treasurer, I believe you will agree with me, as we chatted in fact on your way back to your riding last week, that people in Ontario are fed up and they're angry. They are tired of seeing their hard-earned money being wasted. They are afraid that they won't have a job tomorrow and that their children won't have a job.

Minister, to restore confidence in the economy, to send a signal that Ontario is open for business again, and to create private sector jobs, those long-term, meaningful jobs that we need in this province, will you cut the personal income tax rate in Ontario by 30% to give us the lowest income tax rate, in Ontario, and to get our economy moving again? Will you do that, Treasurer?

**Hon Floyd Laughren (Deputy Premier and Minister of Finance):** May I first of all express my appreciation to the leader of the third party for his comments on the historic agreement that was signed this morning between the Premier of Quebec and the Premier of Ontario. Since the leader of the third party raised it, I really should make a couple of comments about it since he raised it as part of his question.

I would simply say that a lot of credit must go to both the Premier of Quebec and the Premier of Ontario and the Minister of Economic Development and Trade because they have come to an agreement on matters such as labour mobility, which is terribly important, and on matters such as government procurement in the broader public sector as well. I appreciate very much the comments of the leader of the third party.

Finally, on this part of the question dealing with tax reduction, I read with considerable interest the leader of the third party's revolutionary document which he presented to the people of Ontario this morning, and I must say there's some of the content of that document with which I agree. As a matter of fact, interprovincial trade barriers was one of them, the restructuring of Ontario Hydro is another. Mind you, we've done both of those, but that's something with which I agree with the leader of the third party. There are a number of areas on which I disagree, but I don't want to get into that until the supplementary.

**Mr Harris:** There are over 500,000 unemployed people in the province of Ontario who desperately want to work. They have been promised over the last 10 years that hiking taxes and increasing government spending would help them get jobs. Yet year after year after year, that strategy has proved to be an ultimate, unmitigated disaster and failure.

Let's face reality here, Minister. You need the private sector's help in finding them a job. Eighty-five per cent of all new jobs will be created by small business, but they can't create jobs if they're not competitive with other jurisdictions, and right now, they are not competitive with other jurisdictions.

Minister, one of the most punitive taxes on jobs in small business is the employer health payroll tax. Treasurer, to make small businesses competitive and to create jobs, will you exempt all small businesses from the employer health payroll tax that was brought in by the Liberals as one of those dastardly acts that stifled job

creation and destroyed opportunity in the private sector? Will you eliminate that tax?

**Hon Mr Laughren:** I could not help but notice in the document, the revolutionary document, that the leader of the third party presented that the number one reduction in taxes was in the most progressive tax we have in the province, namely, the income tax system, which is based on ability to pay. However, there's a certain element of magic in this whole exercise too, because at the same time he's saying, "Increase income taxes with a new health levy," so he's taking away with one hand and putting it back with the other. I'm not sure that would accomplish very much.

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I would quarrel with the leader of the third party when it comes to the competitiveness of Ontario. Ontario is competitive with every single jurisdiction in North America, without exception. As a matter of fact, with payroll taxes, our payroll taxes are lower than those in Quebec and they're lower than the average in the United States, so I'm not sure the leader of the third party is picking the right way in which to address any perceived problems that he at least perceives.

Finally, I would remind the leader of the third party that we have been through a very severe recession in this province, so he should not be surprised that we've been through a very difficult time.

The leader of the third party should recall that when Ronald Reagan thought that lowering taxes would increase activity in the economy and reduce the deficit, the deficit in the United States between 1980 and 1988 went from something like \$40 billion to almost \$300 billion, so I don't think simplistic solutions are the answer.

**Mr Harris:** The Treasurer is quite right. If we have runaway, uncontrolled spending, as we've had for the last decade by governments in this province, by the Liberals and by you, in coalition or on your own, you will get into trouble. That's why you can't just tinker with the system or on one side, and the Treasurer will know that.

Treasurer, this morning I outlined a plan to create more than 725,000 jobs. It's a commonsense plan.

*Interjections.*

**The Speaker (Hon David Warner):** Order. Could the leader of the third party take his seat please.

*Interjections.*

**The Speaker:** The member for Downsview, please come to order. Leader of the third party.

**Mr Harris:** This morning I outlined a plan to create more than 725,000 new jobs. It's a commonsense plan. It will revolutionize government in Ontario. Our plan will cut the personal income tax rate by 30%. It will cut non-priority spending by 20%. We'll balance the budget in four years.

*Interjections.*

**The Speaker:** Order. I caution the member for Downsview. If he does not come to order, he will be named.

*Interjections.*

**The Speaker:** I ask the House to come to order. I would appreciate the cooperation of the House. I do have a responsibility to listen to the question and to the reply. In addition to that, I enjoy it, so perhaps you would allow me the small generosity of being able to enjoy the question period.

Would the leader place his supplementary.

**Mr Harris:** I should repeat the question then, if you want to enjoy it, Mr Speaker.

Let me get to the point. While you have said there will be no new taxes in this Thursday's budget, at no time have you indicated that Ontario taxpayers can expect a break. I think that's wrong. Clearly, you've read the document. You will know that I think you're heading in the wrong direction. I believe we can cut taxes today. In fact, I believe we must, if we're going to get jobs and the growth in the economy and people back working in Ontario.

Today I tabled a plan, The Common Sense Revolution, a plan to do just that: cut taxes, cut spending and balance the budget. I would like to ask you this, Treasurer, a very simple request: Are you willing to sit down with me and with treasury officials to discuss the merits of this plan for the benefit of the people of Ontario? Are you willing at least to do that?

**Hon Mr Laughren:** It's been at least four years since I've read a revolutionary document. I would simply remind the leader of the third party that it's a long march from Nipissing to Bay Street.

I want to add in a more serious vein that I did think the document was very professionally packaged, but I think what's glossed over in the presentation by the third party in its document is the impact on vulnerable people. It's beyond me how you can reduce government spending by the degree you say you will while protecting health care, education, municipalities, and still have these massive savings.

It's time the leader of the third party came clean with exactly who would be hurt by this document, what programs he would shut down, what hospitals he would close, what schools he would close, and what public services would end in the province of Ontario according to his Klein-like plan.

**Mr Harris:** I'd like the Treasurer to know that this document comes from Main Street, from all across this province. This comes from Ontario. This comes from the people who have said, "This is what needs to be done in the province of Ontario."

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#### GOVERNMENT SPENDING

**Mr Michael D. Harris (Nipissing):** My second question is also to the Minister of Finance. The Minister of Finance has indicated he would like to know exactly what spending would be cut. This document indicates exactly what would be cut. That's exactly why I'd like to sit down with you and the officials, because unlike any other political document we have seen, this one goes on the record with every nickel of spending cuts and tax cuts.

Ontario government spending has more than doubled

in the past decade, from \$25 billion to over \$53 billion. This document suggests that in non-priority areas we can cut back 20% of that funding. With a more than doubling in the last 10 years, most of it by the Liberals, this document says that in non-priority areas we can cut 20%.

Taxpayers are demanding drastic spending cuts, not just tinkering, and the best place to start is right here. It costs \$125 million each year to operate this Legislative Assembly. We must cut back. We must cut the number of politicians in the province. I have two or three in mind today. We must eliminate the tax-free allowances. We must scrap the MPP pension plan.

*Interjections.*

**The Speaker (Hon David Warner):** Order. Could the leader of the third party please take his seat.

**Hon Floyd Laughren (Minister of Finance):** Let me deal with a couple parts of the leader of the third party's question, one to do with the \$10-billion cut—I think that's the right number—in government spending.

**Interjection:** In non-priority.

**Hon Mr Laughren:** I'm sorry; I thought it was 20% of spending—

**Interjection:** In non-priority.

**Hon Mr Laughren:** Okay. Well, if there's one thing we've learned in government in the last four years, it's how painful cuts can be to people who receive the services. When we established the treasury board and put in place something we call our expenditure control plan, every time we made a move to reduce expenditures, we had members of the opposition yelling and screaming that we shouldn't make those cuts, and people out there in the communities as well. Those public services are highly valued in this province.

I can tell you that if you're going to exempt health and you're going to exempt education and you're going to exempt transfers to municipalities, you're going to have quite a time achieving all those savings in what's left, given the proportion of the budgets occupied by those big-spending ministries. It's a much more painful exercise than the leader of the third party is telling the people of this province.

Finally, the member talks about reducing the number of seats in this Legislature. I don't think the leader of the third party wants us to constitute ourselves as an electoral boundaries commission and make that kind of decision. There is a process for that, and the leader of the third party understands that very well. I did find that part of the report interesting. I might have been more selective in how I would reduce the number of seats in the province. Nevertheless, it was an interesting part of his report.

**Mr Harris:** The document is very precise. It articulates \$6.05 billion that will be cut from provincial spending over three years, and those numbers, I want to indicate to you and to the Legislature and the people of Ontario, are firm. Those are the numbers that are required, with the tax cuts, to get people working, to get prosperity back in this province and to balance our budget and launch ourselves into the 21st century, prosperous and working again, back on top again, where we were for 42 years in this country.



One of the reasons we are in such a mess, Treasurer, is because over the last 10 years spending has gone from \$25 billion to over \$53 billion. Would you not agree with me that, fully indexed for inflation, fully indexed for the increased population, if we can more than double spending, if we can take it from \$25 billion to \$53 billion, we can find \$6 billion, which will still leave us with more money, indexed for inflation and increased population, than when Bill Davis ran this province, when we had jobs and prosperity and hope and opportunity; that with all the increases we've had, we should be able to sit down—and I'm offering to sit down and work with you—and identify the \$6 billion in spending cuts we have to make so we can balance our budget and get this province back on track. Would you not agree that makes sense, makes common sense?

**Hon Mr Laughren:** I don't want to be too harsh in my judgement of what the Tories in this province have brought forward, but I must say that there is a very strong element of voodoo economics contained in that document.

For the leader of the third party to say we can take out \$4.5 billion by reducing provincial personal income taxes—that's what he's saying, about \$4.5 billion out there—that we can reduce another \$400 million by reducing the employer health tax, that we can protect all the major-spending ministries that deliver the most important services to the province and balance the budget in four years and make the people of this province happy, is quite frankly not a very open and honest process with the people of this province, unless you are prepared to detail—and you are not in your document—exactly where all of that money would come from, because that's going to mean cuts for the most vulnerable people in our society.

**Mr Harris:** The most vulnerable people in our society are not working. They don't have jobs. They're on unemployment insurance or they're on welfare. This plan not only details what non-priority areas will be cut, this plan also offers \$500 million to reform the welfare system, to finally implement the recommendations of Thomson and of SARC, to give people on welfare the skills or the jobs or the work experience they need, to give them some hope, to give them some sense that at the end of the day they will not be dependent on the state, they will not be dependent on bureaucrats telling them what they can do and what they cannot do.

Let me ask you this, Treasurer: Since welfare spending has gone up in this province, from 1982 till today, from less than \$1 billion to over \$6.5 billion, making Ontario now 30% higher than all other provinces in the country, would you not agree with me that it is a worthwhile plan to change our welfare system from a handout to a hand up, and that we get people back to work in this province, that we give them a choice of working, that we set welfare rates 10% higher than all the rest of the provinces and give them the opportunity for training in a job? Would you not agree that makes more sense than what you and the Liberals have done for the last 10 years: pay them more and more money to sit home and do nothing? Doesn't this make more sense?

**Hon Mr Laughren:** It's becoming clearer, the more the leader of the third party speaks, exactly what his attitude is to the most vulnerable people in our society out there. I would say to the leader of the third party that you cannot have it both ways: You cannot at one breath say that you're going to protect the most vulnerable people and the next minute say you're going to take it out of the hides of those same people. That's simply not fair.

Second, I would say to the leader of the third party that we have in place in this province a program now that is designed specifically to remove barriers for people who are on social assistance, to provide training and a subsidy to the private sector to get people off social assistance and give them the opportunity to get back into the workforce, properly trained with meaningful employment.

We are doing that, and the program that does the most in that regard you want to bring to an end. Make up your mind whether you really want to encourage people and provide incentives for people to get back into the workforce or whether you simply want to bash them. It sounds to me like it's the latter.

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#### JOB CREATION

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Finance and it's about jobs. The budget that will be presented on Thursday I know will have jobs as its number one priority, for the fourth straight year, I might add. Every single budget that Premier Rae has presented has been about jobs being the number one priority.

We now, however, have the report card on the success of the jobs program for last year's budget. This is your government report for the 12 months ending March 31, 1994, the year of the last budget. Here's what your government report says about the job situation in Ontario:

"A review of developments in Ontario's labour market over the past 12 months shows employment growth has been weak relative to the rest of the country. At the Canada level, employment grew by 177,000, but in Ontario the job growth was only 9,000."

British Columbia had plus 67,000, Quebec plus 59,000, Alberta plus 40,000. Mr Minister, the job growth for the 12 months of your budget that just ended was 9,000 jobs. In the budget, you had promised that we would see job growth of 90,000 jobs. We achieved 10% of your target.

My question is this. As we look ahead to the budget on Thursday, what has been the reason for the failure of the job growth in the last budget that promised so much growth?

**Hon Floyd Laughren (Minister of Finance):** If you go back a year, roughly, to when we brought down our 1993 budget and you were to compare the projections in our budget along with the projections at the federal level, with the projections by independent forecasters and banks and so forth, you would find that we were right in the middle of the pack of those independent forecasters. We did not exaggerate any numbers. What we put in our budget was exactly what we anticipated would happen, as did everyone else.

The fact that the recession has lingered on longer and has been even more severe than we anticipated is why the numbers are not as good as we would like to see. There's nothing secret about it. It's very open and it doesn't apply just to Ontario, it applies elsewhere as well.

**Mr Phillips:** I'm sorry, it doesn't apply elsewhere. Your own report says that at the Canada level, employment grew by 177,000 people, but in Ontario it was only 9,000. Your own government projections, Mr Minister, said that we would see job growth of 100,000 jobs in the province. We're hearing a lot of rhetoric from the minister and the government about job growth, but your own reports indicate that it has been a failure.

I'm particularly worried, I might say, about young people. Your own report here says young workers in Ontario lost 25,000 full-time jobs and 32,000 part-time jobs over the 12-month period, March 1993 to March 1994. The incidence of unemployment among youth is substantially above average. As a matter of fact, the unemployment rate among 15- to 19-year-olds is 30.2%.

There is no question that the job program has been a failure in terms of job creation in the province of Ontario. So while we hear a lot of rhetoric here about Jobs Ontario Training, Jobs Ontario Youth, your own factual report indicates the unemployment rate among the 15- to 19-year-olds is 30%.

I'll go back to the same question and that is, why has your job program, the program that would have seen jobs created in this province for young people, been such a failure, Mr Minister?

**Hon Mr Laughren:** Because the economy performed slower than anyone predicted, I wouldn't say that means automatically that our job programs are a failure. Secondly, it is not only the public sector that creates jobs in this province, I would remind the official opposition. It's the private sector, and in particular the small business sector, that creates most of the jobs. So pointing your finger at us and saying we're solely responsible for the slowness of the economy simply makes no sense whatsoever. If you talk about creating a climate, who created the climate for the recession that started in 1990, my friend? Well, let me tell you something: It was not this government.

I would tell you, when we talk about the Jobs Ontario Training, which both opposition parties do, the Jobs Ontario Training program has created 45,000 jobs. That's saving—

**Mr Chris Stockwell (Etobicoke West):** Who believes you?

**Hon Mr Laughren:** Well, we've got the statistics to back it up.

That has saved over \$150 million in social assistance costs alone.

#### *Interjections.*

**Hon Mr Laughren:** The opposition can rant and rave all they like, but perhaps if you read the headlines in today's paper you would see that the mood out there is much more buoyant now than it was before. We do feel that the worst of the recession is behind us and everybody is getting on board except the opposition in this Legislature.

**The Speaker (Hon David Warner):** New question.

**Mr David Johnson (Don Mills):** My question is also to the Minister of Finance, and I might say first of all that I read the paper yesterday and it said that there were fewer people employed today in Ontario than there were four years ago.

#### PROVINCIAL DEFICIT

**Mr David Johnson (Don Mills):** My question is about the forecasting ability of the Minister of Finance in another area, specifically the deficit. Mr Minister, a year ago you forecast the deficit for this year to be \$6.8 billion. Now, from what I understand, you're estimating about \$9 billion in terms of a deficit, and that would bring the total debt in the province of Ontario to nearly \$90 billion and take, I might say, over 16 cents of every revenue dollar just to pay for the interest on that debt.

When you came into power, we had in Ontario an AAA rating. We've had three downgrades, the rating now is an AA- and there's a great deal of concern that there will be another credit downgrade. If there is, that will cost the taxpayers millions of dollars. The problem is that the financial community does not believe your forecasts on the deficit. They do not think that you have the will to lower the deficit to balance the budget.

My question to you: Minister, have you given up on the deficit and how high do you think the deficit will go before the province of Ontario is subjected to another credit downgrading, a costly one to the taxpayers of Ontario?

**Hon Floyd Laughren (Minister of Finance):** I think that's an interesting question. The fact is that if the critic for the third party would once again go back a year and see whose numbers were spot on in the last year in terms of their deficit, he would find out that everyone was off on their deficit projections, not just Ontario. The federal government was way, way, way off on the deficit that the Tories left the Liberals in Ottawa. So don't point your finger only at ourselves here in the province. Others as well had a problem with projections.

I do think about the credit rating and the importance of maintaining the credit rating at least as high as it is now. I have made the commitment that the deficit, the year that just ended, will come in in the neighbourhood of \$9.5 billion and that we'll be lowering it the next year.

I believe that as the credit rating agencies see our serious efforts at expenditure management, our serious efforts at getting the deficit down, they will understand that with the worst of the recession now behind us, we are on a track that will get the deficit down and at some point in the future return to a balanced budget.

**Mr David Johnson:** I will not accuse the minister of being spot on, I can tell you that. This year apparently the difference between his forecast and the actual for the deficit will be about \$2 billion, last year about \$1.5 billion, the year before that about \$3 billion, Mr Minister: \$6.5 billion over three years. That's not spot on.

But today Mike Harris, the next Premier, has brought forward a program to balance the budget, a four-year program to eliminate the deficit. It can be done. What it takes is that it requires expenditure cuts across the board



except in areas such as health. It requires the foresight to look at reducing taxes, to eliminating Bill 40, to abolishing increases on Ontario Hydro, to reducing workers' compensation premiums. These are measures that, if they're taken, will promote jobs, will promote economic growth and will bring in revenues that help to balance the budget. That's the way you balance the budget.

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My question to you, Mr Minister, is, what commitment will you give today to the people of Ontario that you will tackle that deficit, reduce that deficit and preserve the credit rating of the province of Ontario?

**Hon Mr Laughren:** I wonder where the member for Don Mills was when the federal Tories needed him and Bill Davis needed him, because I don't recall the former Premier Bill Davis balancing a budget when he was the Premier.

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** Not once.

**Hon Mr Laughren:** Not once. Not only that, but when the federal Tories left office, they said there was going to be a deficit of \$32 billion federally. It turns out it's \$45 billion: not going down, going up. So I would say to the member for Don Mills—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Hon Mr Laughren:** Mr Speaker, it's very difficult not to be provocative in this assembly, because everything I say the third party takes offence at.

I would say to the member for Don Mills, if I can speak to him over the shouting and ranting and raving of the member for Willowdale, that we have made a commitment that we are going to get the deficit going down, and I believe that's an important signal to send as the recovery clicks in and we start creating the jobs in this province that everybody wants to see being created.

#### HEALTH INSURANCE

**Mr Donald Abel (Wentworth North):** My question is to the Minister of Health. Many Ontarians are extremely concerned about your recent changes to out-of-country health coverage and how it affects them when they leave the country. Since your announcement, my office has been inundated with queries about the changes in coverage. Almost all the queries claim they heard in the media that they are only entitled to \$100 worth of out-of-country health services.

Minister, I would like to know, just what are you doing to out-of-country health coverage?

**Hon Ruth Grier (Minister of Health):** I know there is a great deal of concern about the announcement and the way in fact it has been portrayed and I welcome the opportunity to say to the members of the House that there are two aspects of medical costs: There are the hospital costs and there are physician services.

We used to pay \$400 a day for the hospital bed out of country. That did not go nearly all the way to meet the costs of some US hospitals, which run as high as \$2,800 a day, so everybody was required to have, and it was

important that they have, private insurance. We have now reduced that amount to \$100 a day.

But in addition to hospital care there are physician services or lab tests. Those will continue to be paid for by Ontario at Ontario rates, as they always have been.

Let me end by saying once again it was never wise to leave this country without having health insurance and I hope that everyone who intends to leave home will not leave home without their insurance.

**Mr Abel:** Thank you, Minister. I'm sure that will clear up many of the misunderstandings that have been generated by the media.

I'm fully aware of the enormously high costs of care in the United States. Two years ago my son was in a serious skiing accident in New York state. He broke his neck, leaving him paralysed from the chest down. He had to remain in a Rochester hospital for a period of 10 days before he was able to be airlifted back to Canada. That 10 days' stay totalled almost \$50,000.

Having gone through that experience, I cannot emphasize enough the importance of having insurance when travelling outside of Canada. Minister, when someone requires medical attention while out of the country, how can travellers be sure they have proper medical coverage?

**Hon Mrs Grier:** As the member has said, his own personal experience has certainly brought home to him the need for everyone to have insurance before they travel abroad. It's available in a variety of ways, through one's credit card, through one's company's insurance. Everybody is wise to inquire how best they can get a plan that suits their needs or suits the kinds of occasions and frequency with which they travel.

Supplementary health insurance has always been part of the cost of travel; it continues to be so. I think the people of Ontario see supplementary health insurance as a fair price to pay for the privilege of leisure travel and for the privilege of maintaining our health care system here for our children and for our children's children.

I want to quote from the federal Minister of Health, seeing that her name has been raised in this House in conjunction with this issue. Writing just today to the *Globe and Mail*, Diane Marleau said:

"The Canada Health Act rightly requires that provincial/territorial health-insurance plans pay the physician fee component of a medically necessary service no matter where it is provided, in a hospital or clinic."

We do that. Ontario is respecting the Canada Health Act.

#### POST-SECONDARY EDUCATION

**Mr Dalton McGuinty (Ottawa South):** My question is for the Minister of Education and Training. I want to ask the minister a question on behalf of Ontario's college and university students and the applicants to those institutions.

I'm not going to ask him about his party's promises to freeze and even eliminate tuition fees. I don't want to ask him about his party's legacy to Ontario students, which is going to be to have increased tuition fees by 42%; in

fact 46% when you compound the increases. I don't want to ask him if he has been working closely with the Conservatives on this, because I see from their campaign platform released this morning that they too intend to increase tuition fees dramatically. I won't ask the minister these questions, because I don't want to embarrass him.

But I will ask the minister about his promise to use this year's increase in tuition fees to create new spaces in our colleges and universities. Minister, keeping in mind that there are many, many more qualified applicants for our colleges and universities than there are spaces available, and keeping in mind that applications are now in for our colleges and universities and students are waiting to receive word, how many more spaces will be created this year with the additional \$100 million your fee hike will generate?

**Hon David S. Cooke (Minister of Education and Training):** The member asked, basically, a series of questions about tuition, and I can understand why he asks a series of questions, because when I look at the document that he created, called Critical Issues in Post-Secondary Education, a discussion paper by Dalton McGuinty, MPP, all it is is a series of questions.

There are no answers from the Liberal caucus at all. There's nothing at all. It's 14 pages of questions, because the Liberal caucus never takes a position on anything when it comes to education. They just want to harp and criticize and say: "Throw more money into the system. Lower taxes, lower the deficit and spend more money." I don't know how that happens in our system.

What I can tell the member is that we intend to continue to increase enrolment. We've looked at the historical increases in the college and university system. The money that we've decided to reinvest in the education system because of the tuition increases and our commitment to maintain transfer payments means that our students will continue to have accessibility, as opposed to whatever policy your party takes or doesn't take or chooses to refuse to say.

**Mr McGuinty:** If the minister is offering to exchange places with me so that he can ask questions and I can supply answers, I'll gladly do so on condition that I can take all my colleagues with me over to that side of the House.

At the time that the minister hit Ontario students over the head with a 20% fee hike, he tried to soften the blow by promising them that they wouldn't have to pay any new ancillary fees unless they first agreed to them. Ancillary fees, as the minister knows, are those fees charged by colleges and universities above and beyond tuition fees for things like student activity fees and athletic fees.

Talks have since been held and they've broken down. Universities are maintaining that all they've got to do is consult students before charging them more for ancillary fees. Students are saying that the minister's promise means they are to be given a right of veto when it comes to new ancillary fees. I believe the students are correct. Minister, do you?

**Hon Mr Cooke:** I think we indicated on the day that

we announced the tuition increase, and the university and college system is aware of this, that any additional, new increases in ancillary fees that had not already been announced will be subject to a process with the students.

The college and university system has been discussing this with our ministry so that we can take that policy and practically implement it. That is something the students have been asking for for years, and we intend to implement it. The university system has agreed.

I might, just for the member's information, indicate to him that just since we've been in power, so that he understands, enrolment at the college system is up and is approaching a 30% increase in enrolment. The university system has double-digit increases as well. So we've done pretty well in our short term in office.

1510

#### MEMBERS' PRIVILEGES

**Mrs Barbara Sullivan (Halton Centre):** On a point of privilege, Mr Speaker: I want to address a point of privilege under section 21(a) of our standing orders, which indicates—

##### *Interjections.*

**The Speaker (Hon David Warner):** Order. The member for Halton Centre has the floor.

**Mrs Sullivan:** The rule with respect to privileges of members of the House reads, "Privileges are the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Assembly Act and other statutes, or by practice, precedent, usage and custom."

The practice, usage and custom with respect to members' activities are that members will serve as advocates and as agents for their constituents frequently, depending on the rules as set down, by example, under the Members' Conflict of Interest Act and by rulings made by the Conflict of Interest Commissioner with the written authorization of the constituent.

Recently I have received in my office, and I understand that all members have received in their offices, explicit instructions from the family support plan of the Ministry of the Attorney General which indicate that members are not allowed to call directly to the office of the family support plan on behalf of their constituents when the constituents come to them. In fact, there are new instructions related to how constituents can be served by their members of the assembly with respect to the operation of that plan.

We are told that the client must call a 1-800 number, which is not a real person on the other end of the line. At the other end of the line there is a voice-activated response. Secondly, the client must write. Thirdly, the client must wait for 30 days after it is assumed the family support plan receives that letter and then must wait for a response from the family support plan in that instance. Only after that period of time—by now, of course, we could be well into a two-month period—is the member instructed that the member is allowed to participate, to act as an advocate on his or her constituent's behalf.

I want to let you know, Mr Speaker, that when people from my constituency call me and people from other



constituencies call their members with respect to issues that are associated with the family support plan, they do so because they are seeking assistance, because they cannot get responses, because they cannot get information about cheques that are garnished from their spouses' wages in order to provide support for their children—in other words, to buy food and put it on the table, to ensure that there is shelter over their heads—because those cheques are not coming through. People who are calling their members are calling in desperation.

I suggest to you that, as is indicated under the rules, the practice, the usage and the custom with respect to the responsibilities of the members of the House are to serve their constituents and to be their advocates. This particular instruction from the family support plan violates those privileges and indeed those responsibilities, and I'd ask you to look into that.

**The Speaker:** To the member for Halton Centre, I am not sure if she has a point of privilege or not, but I would be very pleased to consider the matter. I am not familiar with the document to which she refers. Perhaps she would be kind enough to forward that to me. I will endeavour to take a look at it and report back to the member as soon as possible.

#### MEMBER'S COMMENTS

**Mr Steven W. Mahoney (Mississauga West):** Mr Speaker, on a point of privilege in reference to question period: I did not want to raise this to interrupt question period or take the time to do that, but the government House leader responded to a question by my deputy leader with regard to the issue of the justice committee.

While I have not seen Instant Hansard, I have had it confirmed by a number of my colleagues that the government House leader made reference to the fact that the acting House leader—and I think he was referring to me, since I have been in a number of those meetings when my House leader was unable to be there—for the opposition attempted, I believe he said, to expand or broaden the discussions.

Mr Speaker, as you well know, when House leaders meet on a regular basis to discuss these issues, there are often suggestions made by all three members acting in good faith within the context of representing their caucus. I would just like the government House leader to know, and I think it is a point of privilege, that I take great exception to, first of all, the fact that he would totally misrepresent something that I might have proposed at a House leaders' meeting. In fact, I think what he is referring to is a meeting that occurred in the west lobby—he's now shaking his head.

**Interjection:** I can hear him.

**Mr Mahoney:** He can hear him. In any event, he's saying that's not what he's referring to. The reality is that in doing the job as the acting House leader, trying to negotiate an opportunity to get this issue to the justice committee, I did exactly the opposite of what the government House leader suggested, and suggested that we narrow the focus of the debate down to the issues of guns and bullets and that we bring forward Bill 151, our private member's bill.

I believe what the government House leader has done here today in an attempt to deflect the criticism of having taken from April 7 until today—and I have a chronology for you, sir, to look at as to the number of times that interventions and questions and House leader meetings have taken place and the facts of what has gone on at those House leader meetings, which I, unlike the government House leader, am not going to read into Hansard.

I take great exception to the fact that he would try to imply that I, as the acting House leader, in some way have created a problem in these negotiations. I think that at the very least the government House leader owes me and my House leader and my caucus an apology for such an inference, because it is totally contrary. We are the only party that brought forward a list. We put it in writing; we submitted it.

The government House leader admitted that this was not even discussed at caucus as long ago as April 14. It has been almost four weeks that the government has had an opportunity to respond to a non-partisan suggestion by my leader, and they have failed to do so. They're trying to throw it back on our plate and back at me in attempting to do the job, and I take great exception to those remarks.

**Hon Brian A. Charlton (Government House Leader):** On the point, Mr Speaker, it's an interesting perspective from which the member opposite has raised his point of privilege, because he's correct—and I have no intention of continuing the House leaders' discussions here in the House this afternoon. If the opposition party hadn't attempted on three and today the fourth occasion to carry House leaders' discussions to question period, then perhaps the response today would have been a little bit different.

The member is exactly right: House leaders' discussions are not an appropriate topic for here in the House, so the House leaders can get on with dealing with a very important matter without the opposition party exploiting those issues day after day here in this House while we attempt to reach a three-party consensus.

*Interjection.*

**The Speaker (Hon David Warner):** No, this is fairly straightforward.

**Mr Mahoney:** I think there is another point of privilege.

**The Speaker:** If there is some other point of privilege, I will hear it.

The member will know that he does not have a point of privilege. There is obviously a disagreement, and when one member takes offence at remarks made by another member on the other side of the House, there is no particular role for the Speaker in that regard. But clearly there is a difference of view here, and I can be of no assistance to the member, I regret.

1520

You have an additional and new point of privilege?

**Mr Mahoney:** It seems, Mr Speaker, every time the government House leader opens his mouth these days he's causing me, at least, to feel as if there's another attempt to misrepresent what has gone on. Our party did

not attempt to exploit the issue, as he has suggested. We did not raise House leaders' business—

**The Speaker:** No. This is not a new point of privilege at all.

### PETITIONS

#### ST JOSEPH'S GENERAL HOSPITAL

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a very important petition to the Legislative Assembly of Ontario:

"Whereas the city of Elliot Lake is a service centre for a number of North Shore communities and the Ministry of Health has decided to cut hospital funding in that city;

"Whereas the city of Elliot Lake has been forced to diversify its economy following the cancelling of uranium contracts by Ontario Hydro;

"Whereas those diversification efforts include the successful marketing of a residential retirement program and the subsequent influx of several thousand retirees, all of whom will require inpatient and outpatient hospital care at one time or another; and

"Whereas St Joseph's General Hospital, which has already made every conceivable effort to restructure in the face of the social contract cuts, is now forced to close 31 inpatient beds,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To seriously re-examine the ministry's funding-cut formula for flaws and reconsider Elliot Lake's position, bearing in mind the changing demographics in the community and the reliance of the North Shore communities on the health care services offered by the Elliot Lake hospital."

This is signed by hundreds of my constituents from Massey, Webbwood, Sagamok First Nation, all along the North Shore, and I agree with this petition and have signed it.

#### SEXUAL ORIENTATION

**Mr Bill Murdoch (Grey-Owen Sound):** I have a petition from the villages of Flesherton, Priceville and Markdale. It's to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it.

"We believe that there will be an enormous negative impact on our society, both morally and economically, over the long term if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, which is enjoyed by everyone by law now. But since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code, and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age and sex, we believe all reference should be removed from the code."

#### EMERGENCY SERVICES

**Mr Peter North (Elgin):** I have got a petition here to the Legislative Assembly of Ontario that will follow up on the statement I made earlier today in the House.

"Four Counties General Hospital in Newbury, Ontario, provides 24-hour emergency services to an area that covers the four neighbouring corners of Middlesex, Elgin, Kent and Lambton counties. Approximately 16,000 people live in small towns, villages and rural sections of this area.

"Due to the shortage of doctors in the area, the hospital has had difficulty in providing medical coverage for its emergency room on a 24-hour, seven-day-a-week basis. If the hospital cannot get enough doctors to cover, it will have to close its emergency departments for part of the 24-hour period. The nearest emergency departments are 40 to 60 minutes' driving distance away.

"We, the residents of the hospital's service area, need 24-hour emergency coverage and want the Ministry of Health and the Ontario Medical Association to resolve the critical issue of medical coverage of rural emergency departments immediately.

"We have attached our name and signatures to the petition."

I have attached mine as well.

#### SEXUAL ORIENTATION

**Mr Will Ferguson (Kitchener):** I have a petition signed by the residents of Kitchener:

"To the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a sacred union between a man and a woman are under attack by Liberal MPP Tim Murphy in his private member's Bill 45; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill has not been fully examined for financial and societal implications,

"We, the undersigned, petition the Ontario Legislature to stop this bill and to consider its impact on families in Ontario."

#### EMERGENCY SERVICES

**Mr Randy R. Hope (Chatham-Kent):** I have a petition which was just read a little earlier by the member for Elgin, but I'll read it on behalf of the member representing the constituencies of Kent. It's addressed to the Legislative Assembly of Ontario:

"Whereas the Four Counties General Hospital of Newbury, Ontario, provides 24-hour emergency services to an area that covers the four neighbouring corners of Middlesex, Elgin, Kent and Lambton counties. Approximately 15,000 people live in the small towns, villages and rural sections of this area; and

"Whereas the hospital has had difficulty in providing medical coverage for its emergency room on a 24-hour, seven-day-a-week basis; and

"Whereas if the hospital cannot get enough doctors to cover, it will have to close its emergency department for part of the 24-hour period. The nearest emergency



departments are 40 to 60 minutes' driving distance away.

"We, the residents of the hospital's service area, need 24-hour emergency coverage and call on the Ministry of Health and the Ontario Medical Association to resolve the critical issue of medical coverage of rural emergency departments immediately."

They have attached their signatures, and I, as the representative of their riding, present their petitions forward.

#### ADOPTION

**Mr Robert Chiarelli (Ottawa West):** I have a nine-page petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the Adoption Reform Coalition of Ontario, ARCO, brings together various organizations to recommend reform of Ontario adoption law based on honesty, openness and integrity;

"Whereas ARCO believes that existing adoption secrecy legislation, although originally based on unresearched good intentions, is outdated and unjust;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms and the UN Declaration of Human Rights, these rights are denied to persons affected by secrecy provisions in adoption laws of the Child and Family Services Act and other acts in Ontario;

"Whereas 10% of persons in Ontario are directly affected and 20% are indirectly affected by restrictive rights to personal identifying information on themselves and on birth and adoptive relatives in the Ontario Child and Family Services Act and other acts;

"Whereas the birth certificate issued to an adopted person is a legally sanctioned erroneous document;

"Whereas the current system for disclosure of adoption information is discriminatory, psychologically cruel and expensive with unacceptably long waiting periods for indeterminate results;

"Whereas research shows that not knowing basic personal information has proven harmful to adopted persons, birth parents and other birth and adoptive relatives,

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to move as quickly as possible to:

"Permit unrestricted access to full personal identifying information to adopted persons, adult children of adopted persons, birth parents, birth siblings and other birth relatives when the adopted person reaches age 18;

"Permit access to identifying information to adoptive parents of minor children and emancipated minor adoptees;

"Allow adopted persons and birth parents to file a notice stating their wish for non-contact;

"Eliminate mandatory reunion counselling;

"Encourage and support client self-determination;

"Permit access to agency and court files when original statistical information is insufficient for identification and contact with birth relatives;

"Recognize open adoptions in the law."

I've signed the petition.

#### JUNIOR KINDERGARTEN

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the previous Liberal government of David Peterson announced its intention in its budget of 1989 of requiring all school boards to provide junior kindergarten; and

"Whereas the provincial NDP government is continuing the Liberal policy of requiring school boards in Ontario to phase in junior kindergarten; and

"Whereas the government is downloading expensive programs like junior kindergarten on to local boards while not providing boards with the required funding to undertake these programs; and

"Whereas the Wellington County Board of Education estimates that the operating costs of junior kindergarten will be at least \$4.5 million a year; and

"Whereas mandatory junior kindergarten programs will force boards to cut other programs or raise taxes; and

"Whereas taxes in Ontario are already far too high as a legacy of that Liberal government,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government of Ontario cancel its policy of forcing junior kindergarten on to local school boards."

I totally support this petition. It's included in our Common Sense Revolution, and I have endorsed it as well.

#### FIREARMS SAFETY

**Mr Daniel Waters (Muskoka-Georgian Bay):** I have a petition today from some 170 constituents in my riding, both year-round and seasonal, and it states:

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

1530

#### SALE OF AMMUNITION

**Mr James J. Bradley (St Catharines):** This petition is to the Legislative Assembly of Ontario:

"Whereas it is imperative that we make our streets safe for law-abiding citizens;

"Whereas any person in Ontario can freely purchase ammunition even though that person may not hold a valid permit to own a firearm;

"Whereas crimes of violence where firearms are used have risen at an alarming rate; and

"Whereas we must do everything within our power to

prevent illegal firearms from being used for criminal purposes;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To immediately pass Liberal Bob Chiarelli's private member's bill, Bill 151, to prohibit the sale of ammunition to any person who does not hold a valid firearms acquisition certificate or Ontario Outdoors Card."

This is signed by a large number of people who appear to be in Metropolitan Toronto.

#### FIREARMS SAFETY

**Mr Ted Arnott (Wellington):** I have another petition and it's addressed to the Legislative Assembly of Ontario and it reads as follows:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or have hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae and Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I support this petition and I've endorsed it as well.

#### LAND-LEASE COMMUNITIES

**Mr Larry O'Connor (Durham-York):** I've got a petition here to the Legislative Assembly of Ontario:

"Whereas Bill 21 has received second reading in the Legislative Assembly of Ontario; and

"Whereas Bill 21 will provide the needed protection to owners of mobile homes in mobile home trailer parks and the owners of modular homes in land-lease communities; and

"Whereas many owners of mobile homes are threatened with eviction and the loss of their investment in their mobile home by the action of their landlords;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To proceed as expeditiously as possible to third reading of the bill."

Fred Moffat signed the top and said to please sign below him, so I'm going to do exactly what Fred suggests and sign below it.

#### FIREARMS SAFETY

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a great number of petitions from Manitoulin Island, Sault Ste Marie, the riding of Algoma:

"Whereas we want you to know that we are strenuous-

ly objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or have hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I have signed this petition.

**Mr Gary Wilson (Kingston and The Islands):** I have a petition that is to the Legislative Assembly:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

There are about 40 people signing this petition.

#### SEXUAL ORIENTATION

**Mr Robert Chiarelli (Ottawa West):** I have a petition signed by a number of people from the Ottawa area:

"To the Legislative Assembly of Ontario:

"Whereas Bill 45 will delete the words 'of the opposite sex' from the definition of 'marital status,' this would redefine the family and allow for homosexual marriages; homosexual couples would be given the same status as married couples;

"Whereas Bill 55 attacks our freedom of speech and religion; ministers will no longer be able to call homosexuality a sin; parts of scripture, for example Romans I and II, will no longer be allowed to be read off the pulpit; a fine of up to \$50,000 will be imposed upon anyone convicted;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We earnestly request the Legislative Assembly of



Ontario to refrain from passing Bills 45 and 55. We earnestly request the Legislative Assembly of Ontario to initiate a broad public consultation on the issues in question."

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr Marchese from the standing committee on administration of justice presented the committee's report and moved its adoption.

Your committee begs to report the following bill as amended:

Bill 113, An Act to amend the Liquor Control Act /  
Projet de loi 113, Loi modifiant la Loi sur les alcools.

**The Deputy Speaker (Mr Gilles Morin):** Shall the report be received and adopted? Agreed.

Shall Bill 113 be ordered for third reading? Agreed.

#### INTRODUCTION OF BILLS

##### OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT, 1994

##### LOI DE 1994 MODIFIANT LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL

On motion by Mr Winninger, the following bill was given first reading:

Bill 157, An Act to amend the Occupational Health and Safety Act /  
Projet de loi 157, Loi modifiant la Loi sur la santé et la sécurité au travail.

**The Deputy Speaker (Mr Gilles Morin):** Mr Winninger, if you want to make a brief statement.

**Mr David Winninger (London South):** This bill would amend the Occupational Health and Safety Act to ensure that all workers will continue to be paid if an employer shuts down all or part of the workplace because of a worker's refusal to work in unsafe conditions or pending correction of those conditions.

##### TOWNSHIP OF TAY ACT, 1994

On motion by Mr Waters, the following bill was given first reading:

Bill Pr105, An Act respecting the Township of Tay.

**The Deputy Speaker (Mr Gilles Morin):** Before we move to orders of the day, I would like to read the following:

Pursuant to standing order 34(a), the member for Renfrew North has given notice of his dissatisfaction with the answer to his question given by the government House leader concerning crime, and this matter will be debated today at 6 pm.

1540

#### ORDERS OF THE DAY

##### *House in committee of the whole.*

##### RESIDENTS' RIGHTS ACT, 1993 LOI DE 1993 MODIFIANT DES LOIS EN CE QUI CONCERNE LES IMMEUBLES D'HABITATION

Consideration of Bill 120, An Act to amend certain statutes concerning residential property /  
Projet de loi 120, Loi modifiant certaines lois en ce qui concerne les immeubles d'habitation.

**Hon Evelyn Gigantes (Minister of Housing):** Mr Chair, I would like to bring members of the Ministry of Housing staff to the floor.

**The Chair (Mr Gilles E. Morin):** Certainly.

**Mr Robert Chiarelli (Ottawa West):** On a point of order, Mr Chair: Since this is a very important piece of legislation, I think the government should honour its responsibility to provide a quorum.

**The Chair:** Please verify if we have a quorum.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Chair.

*The Chair ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Chair.

**Mrs Margaret Marland (Mississauga South):** On a point of order, Mr Chairman: Could you advise us how we are going to proceed this afternoon in terms of time?

**The Chair:** Yes, I do plan to do that.

**Hon Ms Gigantes:** Could I begin by indicating that there is a government amendment. It is the last of the government amendments.

**The Chair:** Before we start, let me read the following:

"That one further sessional day be allotted to consideration of the bill in committee of the whole House. All amendments proposed to be moved to the bill shall be filed with the Clerk of the assembly by 4 pm on that day. Any divisions required during clause-by-clause consideration of the bill in committee of the whole House shall be deferred until 5:45 pm on that day. At 5:45 pm, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee of the whole House shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto and report the bill to the House. Any divisions required shall be deferred until all remaining questions have been put, the members called in once and all deferred divisions taken in succession."

Are there any questions, comments or amendments, and, if so, to which sections of the bill? Minister?

**Hon Ms Gigantes:** Mr Chair, if I could just at the beginning indicate, an amendment which we have tabled is one which we will have to amend very slightly. It affects the short title of the bill. It is our final proposed amendment. It currently reads that this section provides the short title to this act, the "Residents' Rights Act, 1993," and that will need to be changed to "1994."

**The Chair:** Do you want to list the sections where you have amendments?

**Hon Ms Gigantes:** That was section 49.

**The Chair:** The member for Mississauga South.

**Mrs Marland:** Mr Chair, you have laid out how we're going to proceed. However, I don't think it's clear whether we're going to allocate the remaining time proportionately to all three caucuses. You described how we would vote and that they would be deemed to be

moved, those amendments that hadn't been moved. In fairness, because we are under time allocation, I would ask that the remaining time of the afternoon be distributed equally between all three parties.

**The Chair:** If there is consent that the time should be divided equally, then we'll proceed that way.

**Hon Ms Gigantes:** Mr Chair, I don't know how you can move through amendments on an equal allocation of time. The committee of the whole is intended to deal with amendments by each party. There's no way, given the fact that each party has amendments and will wish to speak to them, that we can guarantee that there will be an equal distribution of time. We're certainly prepared, on the government side, to move with as much dispatch as possible in order to deal with the amendments before us.

**The Chair:** Therefore, there is not unanimous consent, and we'll proceed as normal.

**Mrs Marland:** I just want to be very clear, then, that because it's committee of the whole, it is possible, without the concurrence or agreement from the government, that one member or one party may speak from now until 6 o'clock on one amendment. Is that what we're dealing with?

**The Chair:** Hopefully, this will not happen, and it's questions and answers, and that's the way we'll proceed.  
1550

Are there any comments or amendments, and if so, to which section of the bill?

**Hon Ms Gigantes:** Subsection 1(1), subsection 1(2), subsection 1(3), section 2.1, and again to section 2.1, section 2—

**The Chair:** Excuse me, Minister. You've listed three amendments that we don't have here at the table. I'm referring first to subsection 1(1), subsection 1(2) and section 2.1. We don't have them here.

**Hon Ms Gigantes:** Should I begin again, Mr Chair?

**The Chair:** Yes, please.

**Hon Ms Gigantes:** Subsection 1(3), section 2.0.2.1, subsection 5(1), subsection 5(3)—

**Mrs Marland:** On a point of order, Mr Chair: I am not familiar with us going through committee of the whole with a bill where the minister stands up and lists off all her amendments. I would have thought she would move her amendments in order numerically, at which time we would rise and speak individually to those amendments, as we will rise and speak to our own amendments.

**The Chair:** The member for Mississauga South, there's nothing abnormal. We've always proceeded that way. Once the minister has listed her amendments, I will do likewise with the member for Lawrence and also with you. That is the normal procedure.

**Hon Shelley Martel (Minister of Northern Development and Mines):** That's the way it's always done in here.

**The Chair:** Just a minute, Minister, please. To explain to the member for Mississauga South, it's normal to ask that, because the table has to know what will be debated. How else can we find out?

**Mrs Marland:** You have them there.

**The Chair:** We have to ensure that we have all the amendments. That's the only way to operate. Minister.

**Hon Ms Gigantes:** I did subsection 5(3), right? Section 6, section 9, section 14, subsection 18(1), section 20, subsection 26(3), subsection 26(4), subsection 27(1.1), subsection 27(2), subsection 33(1.1), subsection 38(4), subsection 40(1), section 44, section 47, section 48, and section 49, to which I have noted a change from "1993" to "1994" in the title.

**Mr Joseph Cordiano (Lawrence):** Subsection 1(1), subsection 1(3), subsection 1(3), subsection 1(4), section 2.2, section 2.0.3, section 2.4, section 2.5, section 2.6, section 2.6.1, section 2.7, subsection 4(1), subsection 5(1), subsection 5(1), subsection 5(1), subsection 10(3), subsection 12(5), subsection 26(1), section 28, section 28.

**Mrs Marland:** Pertaining to Bill 120, I am moving amendments to subsection 1(1), 1(1)(i.1), subsection 1(1), subsection 1(3), subsection 1(3), subsection 1(3), subsection 1(3); one that I just tabled this afternoon which is to section 2.1, sections 2.2 and 2.3, of which I gave a copy to the Clerk and to the Liberal critic and sent a copy to the minister; subsection 2(1), subsection 2(2), subsection 2(3), subsection 2(4), subsection 2(5), section 3, section 3, section 26, section 36, section 37, section 37, section 37.1, section 37, section 37, section 38, section 39, section 40, section 40, section 42, section 46, section 47, section 47, subsection 207.2(3), as set out in section 47, section 47, subsections 48(2) and (3).

**The Chair:** We'll now deal with section 1. I believe the member for Lawrence has an amendment on subsection 1(1), if you will read your amendment.

**Mr Cordiano:** I move that clause (b) of the definition of "care services," as set out in subsection 1(1) of the bill, be amended by inserting after "rehabilitative," "respite, convalescent care".

**The Chair:** Do you have any comments?

**Mr Cordiano:** In the very limited time we have, it is obviously difficult, but it was necessary to go back to this section in the bill to ensure there was no mistaking the instances where there was respite and convalescent care being undertaken at these homes; that in fact the kind of care being administered would be precisely taken in with this addition, that is, that included in the definition would be respite and convalescent care homes. That definition would in particular capture the essence of what we were attempting to capture with the rehabilitative, and I think "respite" and "convalescent" care would add to that definition so as not to have any uncertainties about the need for that to be included in those care homes, since a number of them did provide convalescent care or the kind of respite care which we felt would not be captured with the simple use of the word "rehabilitative."

Of course there's an amendment to follow, so those are my brief comments on that section.

**The Chair:** Minister, do you have any comments?

**Hon Ms Gigantes:** The government will not be supporting this amendment. We feel that the addition of this amendment would confuse the intent of the act.

**Mrs Marland:** We support this Liberal amendment



because we believe it expands the definition. But I want to say I am appalled that we are concluding debate on Bill 120 under time allocation with only one afternoon for the committee of the whole House to consider this omnibus bill. When I contemplate the Bob Rae government's decision to restrict debate on Bill 120 and its refusal to accept constructive criticism, I think that tells us more than anything else about the New Democrats.

They are not, apparently, supporting this amendment. These amendments have come out of a lengthy process, and I feel very strongly about the process we've just gone through.

1600

**The Chair:** I would ask you, please, to speak on the amendment.

**Mrs Marland:** I am speaking to the amendment, Mr Chair.

**The Chair:** The amendment that was proposed by the member for Lawrence: Please speak on that issue.

**Mrs Marland:** I am speaking to that issue, because I am speaking to why the amendment is here. The amendment is here because we had four weeks of public hearings. Both the critic for the Liberal caucus and myself as the critic for our caucus are bringing a number of amendments, including this one, to the committee of the whole House because we are responding to the needs that were identified by the people who came to us in the public hearings of the committee.

This amendment is an important amendment, as are many of the amendments we will not even reach this afternoon because we are under time allocation. The reason I am appalled is that we have a government that makes very self-righteous statements about the importance of consulting people. We went through a committee process—a very expensive committee process, I might say—with four weeks of public hearings, and now I wonder why the NDP even bothered to hold public hearings at all on this bill, because now it is refusing to consider the opposition amendments that responded to the concerns raised during those hearings.

The government's actions also tell us we cannot believe its statements about caring for tenants and people with special needs. This Liberal motion before us now is dealing with people with special needs, and when it comes to vulnerable people who need a special tenancy arrangement, the Bob Rae government won't accommodate their special needs.

My party has tabled 40 amendments responding to the concerns of the groups and individuals who made presentations to the committee. They are important amendments, as is this one that is on the floor now. Our amendments addressed many critical issues. We are still concerned about the fact that many of those issues are not being accepted by the government, as it is not accepting this amendment. They are not being accepted as being important to this bill.

In speaking to this amendment, I simply say that in supporting it, we wish we had the cooperation of this government, which also had members sitting on that committee, which also heard the same cries for help and

the same appeals for consideration that we heard. Consultation for this government is an absolute sham, and where it becomes irresponsible is when we go through an exercise of public hearings, at the expense that involves, and now we are in committee of the whole—

**The Chair:** I would ask you, please, to speak to the motion.

*Interjection.*

**Mrs Marland:** The motion, Mr Chair, is part of the whole scenario of trying to deal with this bill, and my comments, without the interjections from the minister—the minister had lots of time to speak during the committee, and of course now she's going to chip, chip, chip and chirp, chirp, chirp away during our committee of the whole even though they are forcing us to be under a time allocation. This minister has proven herself in committee to be one of the most difficult ministers that any of us in opposition has ever had to tolerate.

**Hon Ms Gigantes:** If the member who just spoke took a good look at the amendment, and I believe this will be true of the Liberal critic too, what they would both realize is that with this amendment there's a possibility of reading the act so that it would apply the Landlord and Tenant Act to short-term transitional care. I doubt that is their purpose.

**The Chair:** Are we now ready for the question? Mr Cordiano moves that clause (b) of the definition of "care services," as set out in subsection 1(1) of the bill, be amended by inserting after "rehabilitative," "respite, convalescent care."

Is it the pleasure of the committee that the motion carry? The motion is lost.

**Mrs Marland:** Mr Chair, what are we doing with the individual voting at the end of the day on all the amendments? You did say that the amendments that hadn't been voted on by the end of the time allocation would be deemed to have been moved. Does the full House only have the opportunity to vote on all these amendments at third reading?

**The Chair:** It's only the committee of the whole that votes on the amendment.

**Mrs Marland:** But at 5:45. You just said the amendment was lost.

**The Chair:** I asked the question, shall the motion carry? I heard the nays. I didn't hear anything else. Therefore, the motion was lost.

**Mr Cordiano:** Mr Chair, have we not agreed to have all the amendments stacked for voting?

**The Chair:** I've explained to you how it normally operates.

**Mr Cordiano:** Okay, then let's carry on that way.

*Interjections.*

**The Chair:** Order, please. If you don't agree with the motion and you oppose it and you want a vote on it, five people must stand.

We will now proceed to the next amendment on subsection 1(1) by the member for Mississauga South. Please read your motion.

**Mrs Marland:** Mr Chair, on procedure, how would you treat it if five stood in opposition to each individual vote? Then will you stack the votes till 5:45?

**The Chair:** That's correct.

**Mrs Marland:** Then I guess that's what we'll have to do.

I move that clause (b) of the definition of "care services," as set out in subsection 1(1) of the bill, be amended by inserting after "services," "for any type of care that involves treatment and support or assistance to overcome addictive or substance dependency or physical or mental challenge."

The definition of "therapeutic or rehabilitative services" is not set out anywhere in this bill. This definition sets out the guidelines to understand the services. Obviously, when this bill was drafted, as we've said before, the fact, first of all, that it has been drafted as an omnibus bill dealing with two very well defined, separate, unrelated areas, we had a great deal of concern about Bill 120 because it did bring these areas together. As far as we were concerned, it was terribly important that those areas be treated individually and independently. The fact that there is a reference to care services but no definition of what those are is pretty significant of a bill which is poorly drafted. As I have said many times before, we probably are going to end up with a lot of money being made by a lot of lawyers in this province when they come to interpret this bill at the expense of people who need it interpreted.

1610

**The First Deputy Chair (Ms Margaret H. Harrington):** Minister, do you wish to respond?

**Hon Ms Gigantes:** The government will not be supporting this amendment. It is the government's concern that to approve this amendment would mean that we would be limiting what is meant in clause 1(1)(b) by "rehabilitative or therapeutic services" to those expressions noted in the amendment; in other words, that involve "treatment and support or assistance to overcome addictive or substance dependency or physical or mental challenge."

That would be a limitation on what might be considered rehabilitative or therapeutic services. There are other kinds of rehabilitative and therapeutic services which this bill should apply to. We will be defining, through regulation and through a process of consultation before regulation, exactly those elements of care that we would consider to be covered by the bill. We don't wish to limit it, in particular the rehabilitative or therapeutic services application, to only those services that are outlined in the amendment.

**The First Deputy Chair:** Further debate?

**Mr Cordiano:** Just to touch on what the minister said earlier with respect to expanding this definition, I think it's quite appropriate to include this when the minister undoes what has already been approved by the legislative committee with regard to rehabilitative services and those centres providing rehabilitative services.

We've passed in committee the 18-month clause, which would effectively act as an exemption to those

centres. Obviously, we'll get to that section in a moment, but I think it's important to include these additional definitions. When you do away with the 18-month clause and reinstitute your six-month clause, which is I think as you intend to do in your amendments in committee of the whole, it becomes vital to have that expansion of definitions. Therefore, I cannot accept the minister's explanation for that. I think anything to expand that definition would help, and that's the direction we need to go in.

**The First Deputy Chair:** Any further comments?

**Hon Ms Gigantes:** Just as a very brief comment, there are services, such as psychosocial guidance and life skills training, that can be understood to be rehabilitative services. I think that to narrow the definition by way of this amendment is going to exclude those kinds of facilities, and I know that's not the intent of the Liberal critic, and it probably isn't the intent of the member who has moved the motion, but that would be the effect.

So what we're doing when we're considering this amendment is looking at an amendment that doesn't expand the number of facilities that would be covered under the care services definition, but it may well restrict, and that is the reason the government is not supporting the amendment.

**The First Deputy Chair:** Any further debate on this motion by Mrs Marland? Seeing none, are you ready for the question? Shall Mrs Marland's amendment to section 1(1) carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

I declare the amendment lost.

Are there further amendments? The next amendment is Mrs Marland's. Would you care to move the next amendment?

**Mrs Marland:** I move that section 1 of the bill be amended by adding the following subsection:

"1(1) Section 1 of the act is amended by adding the following definition:

"fast track," in respect of a care facility"—

**The First Deputy Chair:** Excuse me, Mrs Marland. The one I have before me is a PC motion to subsection 1(1): "I move that subsection 1(1) of the bill be struck out." Could we deal with that one first?

**Mrs Marland:** I think I'd rather try amending it before I strike it out.

**Ms Sharon Murdock (Sudbury):** No, no. It works the other way.

**The First Deputy Chair:** Yours is a different section. We'd like to complete this first section before we go on to that one.

**Mrs Marland:** Okay, Madam Chair. You'd like me to move 1(1)?

**The First Deputy Chair:** Yes.

**Mrs Marland:** I move that subsection 1(1) of the bill be struck out.

**The First Deputy Chair:** Are there any comments or questions to that amendment?



**Mrs Marland:** We believe that the Landlord and Tenant Act should not apply to care homes and services. Obviously, we're going to vote against this section of this bill if our amendments aren't accepted, but we feel very strongly that care homes and the services they provide will not benefit their clients by being under the Landlord and Tenant Act.

Obviously, further into the bill we have very grave concerns where we talk about those kinds of care homes and services that were discussed yesterday in this House, as a matter of fact, by a question of one of the NDP government members to the minister, namely, on the Vanier Centre for Women. It's rather interesting to note that in the minister's reply yesterday, she told—

**Hon Ms Gigantes:** It's the Massey Centre. You've got your governor generals wrong.

**Mrs Marland:** Thank you; the Massey Centre. The minister has made that correction for me before and I appreciate it, Madam Minister.

The member for—is it East York?

**Mr David Johnson (Don Mills):** Don Mills.

**Mrs Marland:** No, Mr Malkowski.

**Mr David Johnson:** York East.

**Mrs Marland:** The member for York East yesterday had a tremendous concern about the Massey Centre. This minister said in her reply that she had met with them and that the ministry was willing to work with them and so forth and so on, but the minister still will not agree to exempt the Massey Centre from the Landlord and Tenant Act. That's why we are moving this motion.

1620

I spoke this morning to the executive director of the centre, Nancy Peters, and unfortunately she still has to maintain that they cannot continue to run their program if their facility comes under the Landlord and Tenant Act. In fact, not only will they not be able to run their program, but they may be faced with tremendous court costs by their clients taking them to court because, if it's under the Landlord and Tenant Act, then they cannot access the units of those mothers.

I think everyone in the House is familiar with the program at the Massey Centre. We're talking about young mothers, for the most part a lot of teenage mothers, with their first experience with infants. The staff want to do preventive monitoring of vulnerable infants with these inexperienced young mothers. In order to do that, they have to be able to enter units occasionally. Under the Landlord and Tenant Act, of course, the mother may refuse that entry.

How absurd will it be where the staff, because this section of the bill will be approved by the government today—what will they do, make appointments to visit and check up on these little babies? Get permission from the mother to come into the unit to check up on the baby? I think what this minister is doing is totally destroying a program that has been demonstrated to be very successful and very much needed.

The double irony, of course, particularly when you speak about the Massey Centre, is that the program is

funded by the government. If the government doesn't think it's a wonderful program for these young mothers, then it should never have been funded by the government, but the truth of the matter is that it is an excellent program. In fact, in fairness, I think it was introduced by the Liberal government and there have been further announcements since the NDP government has been in office, because I have copies of press releases where it is sounding the fanfare for the program at Massey Centre. Millions of dollars have been spent by the Minister of Housing and the Minister of Community and Social Services to make this program happen.

With the passage of this bill and in particular this section of the bill, that program will no longer be able to continue, and frankly, I think it borders on criminal irresponsibility on the part of the government because this is the political party in this province that claims to care about vulnerable people. To use people the way they do on the one hand and say, "We want to implement all the concerns that are identified in the Lightman report," and, "We're the fighters for the people who need us most in terms of special needs and vulnerable adults and children"—in this case we're talking about vulnerable infants, and I'm sure the rest of the minister's caucus hasn't had the advantage that Mr Malkowski has had in fully understanding what the program's about. He fully understands it; he is fully concerned; that's why he asked the question yesterday and he received a very unsatisfactory answer from the minister.

This program is vitally important to this city, and in fact this program should be expanded, not curtailed. It's a tragedy and a travesty that under the Landlord and Tenant Act these young mothers will not be protected from unwanted visitors in their accommodation because there will be no way that the staff can go in and help them remove people who are putting them at risk at the time that they're at risk.

There are programs other than the Massey Centre. There's the Emily Murphy second-stage residences. They're concerned about the same things.

I think that this government and every member in that party who votes for this bill that destroys these programs will have it on their shoulders. It won't be on mine and it won't be on any one of the Progressive Conservatives, because we will vote against it, but we will not carry with us the fact that this program is no longer viable or being able to be continued for those people who need it most.

**The First Deputy Chair:** Thank you, Mrs Marland. I just wanted to explain to you that if we were dealing with the whole section, the correct process would be to vote against it, but this is a subsection so we're dealing with it as a separate motion.

Minister, would you wish to respond?

**Hon Ms Gigantes:** Yes, Madam Chair. Thank you. What we're dealing with here is the introduction of a proposed new definition in the definitions section of the bill, and the definition would give us a definition of a so-called fast-track eviction.

I should say at the beginning that it's not the purpose

of this legislation to provide such a tool. Part of the difficulties that people have faced in care homes over the years has been precisely that such fast-track evictions have taken place without the protection of the Landlord and Tenant Act, and it has been the cause of evictions in which—

**Mrs Marland:** You're on the wrong section.

**Hon Ms Gigantes:** Am I on the wrong section?

**The First Deputy Chair:** Minister, that is the next amendment, actually.

**Hon Ms Gigantes:** I'm leaping ahead. I will hold my fire. Excuse me.

**The First Deputy Chair:** Is there any further debate on Ms Marland's motion that we are dealing with at this time?

**Mr Cordiano:** I would just simply say that I can appreciate where my colleague the critic for the Conservative Party is coming from on this and suggest that yes, of course the Massey house will be adversely affected and be caught within the Landlord and Tenant Act as a result of this section.

But I would also add that with the amendments that we have put forward, which of course the government refuses to accept now, after having been approved by a majority of the committee—that is to say, the 18-month exemption will be thwarted and we will revisit the six-month rule as put forward by the government once again. Of course I'm angered by that, and I think it's difficult to understand why the government simply does not come to the same conclusion that we all have on the opposition benches: that their failure to recognize that rehabilitative centres must not operate under the confines of the Landlord and Tenant Act.

The case being made by my colleague the critic for the Conservative Party, the case she is making on Massey house is but one of many groups that we heard that said, "We cannot function if we are caught by the Landlord and Tenant Act. We have to have the rules that are necessary for us to operate," in the very effective way that they have till this point in time.

There was endless debate in the committee around the linking of services, what the Ministry of Health intended to do with its services, what the Ministry of Community and Social Services intended to do with its services, and that is to separate the services they provide from the housing that is being provided under the guise of the Ministry of Housing.

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We don't have the time, and this is the most frustrating aspect of dealing with time allocation, to delve into these matters at great length. I think it would deserve the kind of debate which we failed to achieve in committee. I would say to the minister it's little fault of ours on the opposition benches that we could not fully debate these matters with respect to the recommendations made by Dr Lightman, because they deserve more fulsome debate; they deserve a real public airing.

We heard from deputants, we had hearings, but we were not given an opportunity in committee to deal with these clause-by-clause sections of the bill around Dr

Lightman's report. We simply didn't have the time to do that.

Getting back to this amendment, it dovetails with the 18-month exemption that, again, will be refused to be accepted by the government and will be struck down. I think the government will amend the motion that was passed in committee and once again we will see the advent of the six-month rule which will be devastating to all of those centres.

**Hon Ms Gigantes:** Madam Chair, might I? Now that I've focused on what we're dealing with I've leapt ahead because the amendment before us is one which removes the definition of "care services" under the bill, and the intent, as the mover has mentioned, essentially is to remove the application of the Landlord and Tenant Act to all operations which provide accommodation plus care services. That being the very intent of the bill, it actually is out of order, as far as I'm concerned.

On the question of whether we have allowed adequate time in committee on this bill, we had several weeks of submissions by members of the public and we had a further six days of clause-by-clause work which didn't see us through clause 2.

**Mr David Johnson:** Just to elaborate a little more on the motion put forward by the member for Mississauga South, she mentioned the Massey Centre, for example, as one facility that came to us and recommended that the bill be amended somewhat in the vein, for example, that the member for Mississauga South is suggesting, but there were a number.

If the minister is concerned why it took so long to go through the committee, why it took so long to deal with two clauses, the reality is that through the deputations we heard from group after group, house or facility or home after home that came to us and said that this bill will cause problems, will cause all sorts of problems in their operation in the future.

The committee was trying to reflect those problems and deal with those problems. We could have simply ignored those problems, I guess, and rammed the bill through in a hurry, but I don't think that we'd be serving our purpose here if we did that.

The Massey Centre, for example, said that the application of the Landlord and Tenant Act will have grave security problems for them. I raised this in the Legislature; the member for Mississauga South has raised this in the Legislature; the member for York East, a member of the same party as the minister, has raised this very problem: that because of the application of the Landlord and Tenant Act, those in authority and supervision at the Massey Centre, where they house unwed young mothers, mothers 17 years old, 18 years old, even younger, will not be able to control violent visitors.

Under the present situation, because the Landlord and Tenant Act—

**Hon Ms Gigantes:** That's nonsense.

**Mr David Johnson:** The minister says, "Nonsense." Those who are responsible for providing the service say it's fact. Well, I can tell you who I'm going to believe, and they've come to us time and time again and said this



is going to be a problem when violent visitors come, as they will. Many of these young women are escaping from drug dealers and pimps and violent males, and when they come and attend, the only way, once this bill is put through the way the minister wants to see it put through, is for the young women, the 17-year-olds, to contact the police, and these are the young women who are under threat.

The representatives from the Massey Centre and the young mothers themselves came to us in a press conference that was held here about a month ago, and I wish the minister had been there to hear not only the administrators of Massey Centre, but the young mothers themselves.

What kind of position does that put them in, the young mothers? If they contact the police, there will be reprisals. These are young people who are under severe duress.

**Mrs Marland:** They're 13- and 14-year-olds.

**Mr David Johnson:** The member for Mississauga South says as young as 13 and 14. It's totally unrealistic to expect that to work. That's one situation.

Another situation, for example, was put forward by Ecuhome, which runs a number of houses in Metropolitan Toronto and vicinity for hard-to-house people. They came to us time and time again and said the application of the Landlord and Tenant Act will provide them problems, different kinds of problems.

St Vincent de Paul: I believe there was a facility called St Michael's that came to us. Their problem was that they have a facility for recovering alcoholics, and they say that with the application of the Landlord and Tenant Act they will not be able to evict people who live there but refuse to be involved in the alcohol recovery program. In other words, if they decide to drink in a shared facility—in a living room for example that's shared, in a kitchen that's shared—they could drink in front of the other few residents in the house, perhaps 10 residents in a facility, and what kind of an impact would that have on the recovery program?

The operators are saying it'll have a disastrous effect. The other people will be under such strain that the recovery program will be lost, and this kind of facility, over a period of time, will simply become a residential accommodation under the control of the Landlord and Tenant Act.

There's group after group coming to us telling us that, and the member is putting forward an amendment that would address that situation, but we have yet to convince the government. I hope that over the next hour or so, they'll take another look at it and understand the implications of the bill the way it is on many operators who are providing an excellent service.

**The First Deputy Chair:** Minister, did you wish to respond? Are there any further comments with regard to Mrs Marland's motion? Are you ready for the question?

Shall Mrs Marland's amendment to subsection 1(1) of the bill carry?

All those in favour, please say "aye."

All those opposed please say "nay."

In my opinion, the nays have it.

I declare the amendment lost.

Are there any further amendments to this subsection?

**Mrs Marland:** I move that subsection 1(1) of the bill be struck out.

**The First Deputy Chair:** We have dealt with that section.

**Mrs Marland:** I move that section 1 of the bill be amended by adding the following subsection:

(1.1) Section 1 of the act is amended by adding the following definition:

"'fast track,' in respect of a care facility, means a process whereby the landlord or care giver causes a resident to vacate his or her unit immediately in order to leave the residence entirely or to be moved to another, more adequate, unit."

**The First Deputy Chair:** Are there questions or comments to this amendment?

1640

**Mr Cordiano:** On a point of order, Madam Chair: I have a list of the amendments from the Conservatives, and I don't seem to have that. In the list I have before me, the motion to strike out 1(1) of the bill comes after that section we were referring to.

**Hon Ms Gigantes:** If she couldn't get it taken out, why would she want to amend it?

**The First Deputy Chair:** It is in order to deal with this amendment at this time. Mrs Marland, would you like to comment?

**Mrs Marland:** Yes, Madam Chair. Unfortunately, I have to be brief because of the irony of what we're dealing with. I have a motion here dealing with a necessity for fast-tracking which the minister is going to vote against, and yet she's fast-tracking this bill. It's kind of ironical.

For the government not to understand why we have to include a definition of a fast-track eviction is beyond me. Again, this is the government that pretends to support the recommendations by Dr Lightman, and a fast-track eviction was something proposed by Dr Lightman and has subsequently been ignored by the ministry.

Care homes have also called such an eviction necessary in order to get rid of people who create problems for other people or for whom the home can no longer care, for whatever reason. For the care providers who are professionals not to be able to have control of the people under their care is a total contradiction of what care services are all about. In most cases, all these care services are funded by one level of government or another, so either you believe in a program, you fund it, you hire the right staff who know what is going on in these facilities and know whether they have control over the program and the people in that program, or you don't do anything.

It's like saying to people: "There is a need for this program, and we'll fund it, we'll hire the staff. But we're going to tie your hands behind your back." If the professionals in these facilities, the professional staff are telling us they need it, if Dr Lightman has identified that

it's needed, I have to ask this minister today why she would not support this amendment or has not included this possibility in her bill.

**Hon Ms Gigantes:** It is not, as the member suggested, that the government does not appreciate or understand the issue that is raised around fast evictions, nor is it a question that the government has ignored consideration of the development of a fast eviction process. We are fully aware of the reasons Dr Lightman talked about the possibility of having a fast eviction process when he did his very good work in reporting on care homes and the problems that were encountered by residents of care homes in Ontario.

However, the member will recall that when Dr Lightman came before the legislative committee, he agreed it was a very difficult matter to develop a fast eviction process under the Landlord and Tenant Act that would provide the kind of protection he thought important for residents of care homes.

We understand fully why operators would be interested in seeing a fast eviction process. We understand why Dr Lightman considered it worth recommending that we look at the development of such a process. But in fact we have never heard a satisfactory explanation of how you can have a fast eviction process while protecting the rights of residents.

The reason we have to protect the rights of residents of course is a reason addressed very fully by Dr Lightman in his report to the government. What he documented was a situation in which residents of care homes have, over a long period of time and throughout the province, been vulnerable to excessive behaviour by operators. We all know there are operators and operators and operators, and the member for Mississauga South knows that too. There have been in the past very grave instances of actions and activities by operators of care homes in this province which have been the cause for large public concern and in fact the reason this government asked Dr Lightman to take on his report.

The member is suggesting that if we do not have fast eviction processes and if we provide coverage under the Landlord and Tenant Act, then young women and babies who are benefiting from programs such as the program she described at the Massey Centre or indeed drug rehabilitation or alcohol rehabilitation programs or programs of all kinds—we can always give examples of where there are going to be problems. There are problems where people live.

Landlords in the private sector deal with problems too and they live with the Landlord and Tenant Act, because in this province, and it was a Conservative government that did it, we decided there had to be protections not just for landlords but also for tenants. The right of secure tenure is basic to the security of tenants and it is basic to the establishment of the rights of residents of care homes.

**Mrs Marland:** We're talking about people in a care facility; we're not talking about people in apartments.

**Hon Ms Gigantes:** I know the member for Mississauga South and her party do not support the notion that we should develop Landlord and Tenant Act

coverage for tenants and residents of care homes or that we should have rent control coverage for them. She doesn't support that. She likes to say she thought the Lightman report was wonderful, but when you get right down to it, she doesn't want to do any of the things out of the Lightman report that mean real change. I don't take her attitude seriously. I think she speaks one way and then turns and speaks another.

I find that this proposal, which is a definitional proposal and which would be applied right across the board in care homes and in apartments in houses throughout this legislation, is not acceptable. There's an issue of principle involved here.

**Mrs Marland:** On a point of order, Madam Chair: You might like to ask the minister to withdraw her comment about how I speak and how I think. I don't appreciate her imputing motives to what I say and what I think.

**Hon Ms Gigantes:** Madam Chair, I just sat and listened to the member for Mississauga South declare that I was criminally irresponsible in putting forward the proposals in this legislation. I didn't complain. I would hope her skin is a little less thin it appears to be. There's a matter of principle here, Madam Chair.

**The First Deputy Chair:** I would ask the minister to reconsider her remarks, please.

**Hon Ms Gigantes:** I said she spoke one way on one side and turned and spoke another way on the other side. I don't believe that's unparliamentary. I will apologize if you will ask her to retract an accusation that my proposals legislatively are criminally irresponsible.

**The First Deputy Chair:** No. I just ask the minister to reconsider her remarks and use a different phrase, please.

**Hon Ms Gigantes:** I will withdraw that phrase, Madam Chair. I hope the point is made that the member finds it fine to use colourful phrases herself but she finds it unacceptable if other people do.

There's a principle involved here. The principle is that people who live in apartments in houses covered by this legislation and people who live in care homes covered by this legislation shall have the same rights of protection: security of tenure, the right to have their rent increases controlled. These rights should apply to all tenants in Ontario, and the people who live in apartments in houses, the people who live in care homes in Ontario, who are among the least rich, the least powerful, in fact the most vulnerable of people who rent accommodation in this province, deserve that protection. The fast-track proposal really is to strike at the heart of security of tenancy, which is the basis for the protection of tenancy.

1650

**The First Deputy Chair:** Are there any other comments or questions to Mrs Marland's motion?

**Mr Cordiano:** Let me address this question with respect to fast eviction. We too have a proposal under section 2.6.1 which addresses fast eviction. It more specifically is dealt with in the Landlord and Tenant Act under section 107, and I think this would be the appropriate way to deal with the matter.



Having said that, obviously this motion is an attempt to deal with the need for a fast-track eviction, and I would say to the minister that she must be reminded of the fact that what we're talking about are congregate living situations in which people share kitchens, bathrooms, lounge areas. These are situations in which, living with someone in close quarters, if a tenant is a threat to other tenants, to remove that person, by choice or by prompting of others in the home who run the home, is a very difficult practical set of circumstances which is not easily achieved.

I remind the minister that we heard numerous examples while in committee of instances where there were such cases of threats made to other tenants, of tenants who were difficult, to say the least, to other tenants. What we're talking about here is respecting the right of those other tenants to live in those congregate living situations without fear, without the kind of harassment that was expressed to us in committee by those tenants.

The use of a fast-track eviction process is one which I would also remind the minister was supported by Dr Ernie Lightman, and he called for it in his recommendations. The matter is a difficult one, I admit, to deal with in practical terms, but on the other hand, leaving no alternative for those tenants who are victimized, for those tenants who are in an insecure position as a result of the kind of harassment and the kind of fear they would have to live with, is I think also untenable and also unacceptable.

Let's not confuse the issue. Extending protection—that is, for those rents to be covered under rent control—is not really the issue here. The issue is, how do you deal with a hostile tenant who threatens other tenants?

This fast eviction would permit, under a very tight set of circumstances, at least in our motion as we put it forward, the landlord to act in accordance with section 107 of the Landlord and Tenant Act, which provides for fast eviction. That's not inconsistent with what's in the Landlord and Tenant Act, and we extend that fast eviction to this act, which is entirely consistent with the extension of those rights in Bill 120. We support that.

The other difficulty, Madam Minister, and I would say this as a general comment, is that on the one hand we support many of the initiatives which were recommended by Dr Lightman, but we find ourselves in a very difficult circumstance: not being able to support other sections of this bill on principle, not being able to support sections of this bill as a practical reality because some of the sections of this bill are unworkable, to say the least.

It is precisely because of the omnibus nature of this legislation that we are frustrated. We have said this repeatedly. I would say over and over again that we've reached the point where parts of the bill are supportable, on principle and as a practical matter, and many parts of the bill we find ourselves not able to support, particularly with the refusal of the minister to accept some of our amendments, particularly the one dealing with the extension of the exemption from six months to 18 months, which I think would deal with practical difficulties around congregate living situations, particularly

those rehabilitative centres which, as you might have heard in committee, provide for those types of living situations which, from time to time, result in difficult circumstances for the tenants who live there.

Congregate living situations are the kinds of situations, I would add, that are not similar to living in a high-rise apartment building or any other form of housing where you can lock your door, in a self-contained unit, and not have to see your tenants if you choose not to. Fellow tenants who live in a congregate living situation have to eat together or at least have to be in the same kitchen at times or in the same lounge area or use the same washroom facilities. That is the reality of congregate living situations, and for the minister to stand in her place and say "We are not in favour of extending protection to those tenants" is to obscure the issue. The issue is to protect those tenants from other tenants who make their lives difficult and, at the end of the day, very dangerous in some circumstances.

So let's not make this into a minimum issue; it is one that is very important to those tenants. We heard this repeatedly from those centres, from tenants themselves who came before the committee and expressed their fear, absolute fear that would result from the lack of control that would, at the end of the day, be missing for those landlords who would have to deal with these difficult circumstances.

**The First Deputy Chair:** Any further comments to Mrs Marland's motion? Seeing none, are you ready for the question? Shall Mrs Marland's amendment to section 1(1.1) carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare the motion lost.

Now we will move on to subsection 1(3). I believe there is a PC motion.

**Mrs Marland:** Subsection 1(3): I move that clause (h) of the definition of "residential premises," as set out in subsection 1(3) of the bill, be amended by inserting after "Public Hospitals Act" in the second line "the Homes for Special Care Act, the Homes for Retarded Persons Act."

**The First Deputy Chair:** Mrs Marland, would you care to comment?

**Mrs Marland:** I had hoped that it wouldn't be necessary to move this amendment. I really thought that the Housing ministry staff would have seen their omission and cleaned this up with their own amendment.

The Homes for Special Care Act and the Homes for Retarded Persons Act—and I hope some time some government in this province will change the name of the Homes for Retarded Persons Act. I think it's time that we used the kind of language in acts that is used today in this province. It's unfortunate that we still have an act with that kind of terminology. However, those two acts are both exempt under the Rental Housing Protection Act in Bill 120, clause 27(2)(b) of the bill. We would like them to have continued exemption from the Landlord and Tenant Act, as they currently have. Frankly, we just

believe it's an oversight of the ministry not to have included them in here, in this section of the bill.

1700

**The First Deputy Chair:** Any further questions or comments with regard to Mrs Marland's motion? Seeing none, shall Mrs Marland's amendment to subsection 1(3) carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

I declare the motion lost.

Now we have another amendment to that section; I believe it's a Liberal amendment.

**Mr Cordiano:** I would like to withdraw this next amendment but to continue with the following amendment, although I would note that if what we're dealing with is the bill and the manner in which it was passed in the committee, then this amendment is also redundant, if that's the way we're proceeding. That is to say that the bill, as dealt with in committee, approved this particular amendment, clause 1(3)(i.1).

**Hon Ms Gigantes:** On a point of order, Madam Chair: Can I ask which order we should be addressing this in? The government does have an amendment to subsection 1(3).

**The First Deputy Chair:** We're first dealing with the Liberal amendment, then the PC amendment and then the government amendment.

**Hon Ms Gigantes:** Very good. Thank you.

**Mr Cordiano:** Perhaps, on this item, clause 1(3)(i.1), I would withdraw this amendment as it would no longer be logical to continue with this. This is inconsistent with the previous amendment having been defeated.

Moving on to the next amendment—

**The First Deputy Chair:** Mr Cordiano, could I just clarify. That is the amendment with regard to definition of "residential premises"?

**Mr Cordiano:** Right.

**The First Deputy Chair:** Okay, thank you. Is it agreed that amendment be withdrawn? Agreed.

**Mrs Marland:** Could we just be clear, because there's more than one dealing with residential premises here. It is clause (i.1), as set out in subsection 1(3)? Is it the second one of your amendments, Joe?

**Mr Cordiano:** Yes, that's what I'm referring to.

**Mrs Marland:** That's fine with me.

**Mr Cordiano:** Moving on to the third amendment that follows—

**The First Deputy Chair:** Would you like to read the amendment that you are withdrawing, just so that the other parties are very clear as to what you are withdrawing?

**Mr Cordiano:** Subsection 1(3): I move that clause (i.1) of the definition of "residential premises," as set out in subsection 1(3) of the bill, be amended by inserting after "rehabilitative" in the third line "respite, convalescent care."

I'm just explaining that it would be illogical to continue with that, seeing as how the first amendment was defeated.

Moving on to the next—

**The First Deputy Chair:** I would like to deal with them in the order that I have specified. If we could go to the PC motion next to section 1. Mrs Marland, this particular amendment is out of order. Subclause 1(3)(i.1)(ii) is no longer part of the bill.

**Mrs Marland:** I'll be happy to withdraw it in that case.

**The First Deputy Chair:** Now we have a government motion to the same subsection.

**Hon Ms Gigantes:** I move that subclause (i.1)(ii) of the definition of "residential premises" in section 1 of the act, as set out in subsection 1(3) of the bill, as amended by the standing committee on general government, be amended by striking out "18" in the fifth line and substituting "six."

**The First Deputy Chair:** The Minister of Housing has moved that subclause (i.1)(iii) of the definition of residential premises in section 1 of the act, as set out in subsection 1(3) of the bill, as amended by the standing committee on general government, be amended by striking out "18" in the fifth line and substituting "six."

Minister, would you wish to comment?

**Hon Ms Gigantes:** Yes, Madam Chair. Our purpose in this section is to provide an exemption for care programs, and the basis on which we are doing that is to suggest that where the person who is resident in accommodation which also has care services cannot really be considered to be a stable, permanent resident and hence protected by the Landlord and Tenant Act until six months of the program have passed.

The proposal in committee had been that we extend that exemption for the full period of 18 months. It is my view and the view of the government that 18 months is far too long for a person to be resident in accommodation without having the rights of the Landlord and Tenant Act and the Rent Control Act apply, and therefore we are seeking to amend this section of the bill which had been changed in committee.

**The Second Deputy Chair (Mr Noble Villeneuve):** Further debate on the government amendment?

**Mr Cordiano:** I would say that the minister once again has rung the death knell for these rehab centres, and obviously that's the intent of the government. They have no intention of seeing that these centres and these programs survive. You want to absolutely kill them, because that's what you're in effect saying. With the 18-month extension for the exemption, the centres would have been permitted to exist and to do what they've done so well for so many years. You obviously see it unworthy to save these centres from this aspect of the bill. As I know to be true, we heard repeatedly from many, many witnesses who said they could not function properly.

Then, again, Madam Minister, there is a hidden agenda here. There is the full intent of your government to do away with these rehab centres once and for all because you're delinking services and you see these centres as no



longer viable, and no longer necessary, for that matter, because you're going to delink services and ring the death knell for those centres.

**Hon Ms Gigantes:** That's perfect nonsense, Joe, and you know that.

**Mr Cordiano:** Why don't you just come out and say that? At least come out and say that straightforwardly to these centres which are groping at the prospect of having to exist in an environment, in a legal framework which makes it awfully difficult for them to function. You know that very well, Minister. You've heard that repeatedly.

This is a very serious matter for those centres. They face the prospect of not being able to cope under the weight of this legislation. That's been proven, time and again, in committee, but obviously your government has no intention of seeing that these centres survive.

You're taking the chicken way out rather than saying straight up front and straightforwardly to these centres and these providers that their services are no longer necessary, nor are they wanted by your government. You want to simply destroy them, and you're using the vehicle that's called Bill 120 to do that.

1710

As I say, it's the chicken way out. It's less than courageous, and I would prefer it if we had a full debate around what delinking of services means. This is much more complex, and this is why, Minister, I take personal offence to any overtures in every way possible that has been indicated by your government that we tried to obstruct the process that was undertaken in this committee. There is much more than meets the eye to this Bill 120, much more that's affected by what you're doing by this bill in the communities that are affected by this right across the province.

You simply refuse, because of your determination on the one hand to act fiscally responsible in the way your government sees as appropriate, to kind of shroud yourself with the veil, and not being able to see through that veil, for most people, to see what the real intent of the government is.

At the end of the day, you really don't want to have this honest to goodness debate about what it is that you're doing with these rehab centres, and that is, destroying their very essence. At the end of the day, you really do not want to see them survive, so why don't we just have that debate around what delinking of services means and the kind of difficulties that are going to be experienced in the communities that are affected.

You know this very well, Minister. I know you feel this in your heart to be the truth, and at the end of the day, you can't come out and say this will lead to better services. It will lead to the kind of housing you're talking about, but it certainly will not lead to the kind of services, because there's a vacuum there that you've created.

You have not addressed that. There isn't new money for the kind of services that are going to be at a loss once these centres collapse. The prospect of these centres surviving after Bill 120 is very slim. There's just no chance for most of these centres to operate under the

weight of this legislation. We heard that, as I said, repeatedly.

At the end of the day, it would have been much more honest for your government to come forward and say, "Look, we're going to do this in a different fashion." Of course. The problem is you don't have the funding that's necessary in the interim to do what is a lofty goal, and at the end of the day the practical reality for most communities is that you're going to let them fend for themselves, because there isn't going to be the funding that's necessary for what's implied with delinking of services.

That's why this amendment infuriates us, and that's why I think it's totally unacceptable.

**The Second Deputy Chair:** Further comments?

**Mrs Marland:** I'm inclined to just say "Ditto" to the comments of the Liberal critic, except that this is too important to go without putting something on the record, because what we have with this amendment by the government is a reversal of an amendment which passed in committee.

In order for an amendment to pass in committee, obviously the committee is structured, as all committees are, with a balance of power with government members. So obviously, for an amendment to pass in committee, the opposition members had to have the support of government members, and we did.

The amendment that was passed was in fact a Liberal amendment for 18 months. We as Conservatives also had an amendment to the same section, which was going to make it 24 months as an exemption cap. The only reason the Liberals and ourselves had those amendments was because we were responding to what we were told by the public who came before those committee hearings.

Now we have this government coming into committee of the whole House and of course using the prerogative and the power it has to reverse the work of the committee, which again, as far as I'm concerned, points out the fact that we might as well have saved thousands and thousands of dollars. I don't know what the cost of the committee hearings was for the month we sat in January and February, but it would be over \$100,000, I would estimate, if we include all the staff time, the translators and everyone else who supports a committee going through a public process.

If government is going to be blatantly dishonest with the public—I said "if" government is going to be blatantly dishonest with the public, so I'm choosing my words very carefully, Chair—if that is the case, then we could never have a better example than we have now. What we have now is a process where, under the proceedings of this House, legislation is referred to committee, the committees hold public hearings, and we ask the public for their input, we ask the providers of these services in these special facilities, in these special programs for people in crisis in their lives, whether it's substance abuse or other kinds of traumatic problems in their lives. We have these programs, and again I say these programs are funded by the government. These professional people came to us and said, "We need to have 18 to 20 months as an exemption." Now we have the government saying,

"No, we're going to take it back to the original six months which was in the original bill."

It is incredibly frustrating to be going through this process this afternoon, because we are working under the pressure of time allocation. This government has closed the debate in committee that was taking place on this bill after 20 hours. I added up the number of hours that we had in debate on this bill after we had heard from the public. So we hear from the public for a month and then we debate it for 20 hours and the government says, "That's enough." It's not like we're at the end of the session. It's not like it's Christmas Eve. The closure motion on this bill was moved in April. This House sits till the end of June. As far as I'm concerned, we had a process of democracy taken away from us.

In the same bill, we have a tremendously important section coming up, and that is the section dealing with the legalization of basement apartments in all kinds of residential dwellings, from single-family homes all the way up to town houses and row housing.

This section of the bill being dealt with in this particular amendment is terribly important to the future lives of thousands of people in this province who need that specific kind of treatment. We, as Progressive Conservatives, recognize that need. We want to protect the program for those people who need it, and we support the concern that was brought to the committee by the people who provide the programs.

We are totally frustrated by the fact that we're now down to our last 40 minutes of complete debate on this bill except for third reading, where we probably will get 20 minutes per party to summarize our concerns about the bill, which cannot be addressed through an amendment process any more because the government has closed us out.

This amendment by the government is so pitiful, because what this amendment is saying, more than any other amendment, is: "We don't care what the public in Ontario say. We don't care what the professionals say who came before the committee and told us about their programs and what the impact of this legislation would be on those programs. We don't care. We know better. We don't even care that our various ministries are funding those programs." Aha. Maybe that's the hook: They want to play games; they want to destroy the programs because they don't want to fund them.

1720

For a political party like the New Democratic Party, as I said earlier this afternoon, that champions every cause—Mr Cordiano and I have been in this House nine years as of yesterday, as a matter of fact, May 2. We were in this House when representatives of the New Democratic Party were on this side of the House. Indeed, the Premier himself, sitting as a member of the New Democratic Party, brought people into the private members' gallery with all kinds of problems, the same kinds of people these programs serve that this amendment will destroy.

No one has used people to the extent of this political party. Nobody has brought people into this House to the

extent they have to demonstrate their passion and concern for people who are ill and downtrodden and ill advantaged. Nobody has used—and abused—people to the extent that the New Democratic Party has. This amendment throws everything out and into the faces of those people they claim to care about.

It won't give me any pleasure to campaign in the next election telling people what the New Democratic Party is truly about, but it will be factually supported by the demonstration of this amendment and what this bill does to those people in need. In all the ridings the New Democratic Party will have candidates in, in all 130 ridings in this province, there will be great ammunition for the people running against them to say: "These people pretend to care about people in Ontario, but in fact they really don't. They will bring in legislation that will destroy programs for the most needy, the most vulnerable people, who need the programs most."

It's just like the previous motion, when the minister stood and said she's worried about these tenants. It makes about as much sense to say: "I worry about tenants. I don't care if they all live together in one house." As was said by my colleague, they share the bathrooms and the kitchens and the living areas. "I don't care if one of them goes on a blind drunk or is in a substance abuse overdose situation where they become violent, physically abusive. I don't care, because that individual tenant has a right," according to this minister, "over the other tenants in a communal setting."

Well, that poor tenant who has that substance abuse condition will not even be able to access the programs for treatment they need. Even if you really want to protect them, this minister says, "They can stay there because tenancy is a right." Now we're going to deal with them having the rights of tenancy over the rights of other people living in the same space, no matter how abusive or physically violent they might be. The best part is, because of this amendment and because of this legislation, those people won't even have treatment to help them overcome their problems. It is disgusting.

**Hon Ms Gigantes:** This amendment has obviously engendered a huge amount of resentment, if I could put it that way, from the opposition members. I'm going to take a moment to go through what it is we're doing in this bill, because I think they need to be reminded.

You will recall that the work of Dr Lightman documented in painful detail the situation that exists for people who live in residential care settings in Ontario when they don't have rights. We have had years of difficulties that included direct abuse that has led to death in some cases. Dr Lightman did not set out on this task with a light heart and easy mind, saying, "All's going to be right if I suggest that the Landlord and Tenant Act should apply and the Rent Control Act should apply." He took this very seriously. He said very clearly to the government and to anybody who wanted to read him carefully that it was enormously important for the residents in such settings to have access to some legal handles on power for themselves so that they couldn't just be evicted at the whim of an operator.

We all know that most of the settings in Ontario are



not the kinds of settings that cause concern. There are elderly people in retirement homes in Ontario and there are people with various special needs living in care settings in Ontario who live in excellent settings where the services that are provided for them are first-rate, equal to the kinds of services you would find anywhere in the world.

In fact, it is the intent of this government to improve the services for people who need them in this province. We have done that and we are continuing to do it. Within my own ministry, for example, we have encouraged and continue to encourage the development of supportive housing, housing which is affordable and housing which provides people with the kind of care services they need if they have special needs. That's one of the goals of the non-profit housing program.

So why is it that Dr Lightman said to us, as public representatives in Ontario, "You have got to provide the kind of situation in which a resident doesn't have to depend on being in accommodation in order to receive services"? It's important to delink; it's important for a resident to be able to say, "I will take my services from a community-based service agency if I'm not satisfied with the services that you're providing here." But in order for a tenant to be able to do that and to exercise that kind of choice, the tenant has to have security of accommodation. It cannot be the case that the landlord, the operator, can simply say: "Out. You don't like it? Out." That's what's been happening, and we all know that. It has happened across this province year after year after year.

For the opposition members to tell people at this stage that this government is trying to delink accommodation and services in order to shut down the very fine care home services that we do have in this province is a perfect nonsense. It is a perfect nonsense for them to say that.

It is also a fact, and it appears they need to be reminded of it, that some very excellent non-profit care home operators in this province have operated for years with the Landlord and Tenant Act as their legal framework and served some of the people with the highest special needs in this province.

How come some people can do it and other people can't, according to the opposition? I'd suggest to you that the problem is that there are operators, and there are a lot of them and some of them are excellent operators, who are not familiar with the Landlord and Tenant Act and they have tended to fall into anxiety, if I can put it that way, at the thought that they're going to be asked to operate within the Landlord and Tenant Act. It is perfectly possible, demonstrably possible, and it has been demonstrated that it is possible for people to operate a very good care home service for people with special needs and operate within the Landlord and Tenant Act.

1730

What we're talking about here is, where do we draw the line? Should there be exemptions? The government believes there should. If there is short-term accommodation provided, if the accommodation is for less than six months, then it hardly seems appropriate to call into play

the full protections of the Landlord and Tenant Act. We're dealing here with temporary accommodation. But beyond that, we think it's terribly important to provide those rights which Dr Lightman told us were required if we were going to protect people living in care homes across this province.

We have provided another amendment later in the bill which speaks to some of the concerns that some operators have raised, and that is the concern that, once given protection by the Landlord and Tenant Act, people within a program which may last for up to two years may not want to move on.

We think that's a serious concern and we put forward an amendment that would provide an extra ground of eviction for care home operators where no person in the accommodation provided actually stayed there for longer than two years. Once the program was complete, the understanding on the length of the program having been laid out at the beginning of the program, the individual's enrolment in the program, then the operator could say at the end of the term, within two years, "You have to move because we need this place for another person who needs to come for therapeutic or rehabilitative purposes."

We have certainly been sensitive to the issues that have been raised, and we will be undertaking a very proactive effort to help all those operators whose anxieties I think have been raised by claims which are inaccurate by members of the opposition about how impossible it is to run a good care home service and still operate under the Landlord and Tenant Act. We will assist them in that process.

**Mr Cordiano:** On a point of order, Mr Chairman: I would point out to you that the claim was not made by the members of the opposition.

**Hon Ms Gigantes:** This is not a point of order, Mr Chair.

**Mr Cordiano:** It was made by those providers.

**The Second Deputy Chair:** Order. It's not a point of order.

*Interjections.*

**Hon Ms Gigantes:** Mr Chair, I heard the member for Mississauga South say it was false—

**Mrs Marland:** I will say it again—

**Hon Ms Gigantes:** —and she is not permitted to. That is a point of order.

**The Second Deputy Chair:** Order.

**Mrs Marland:** On a point of privilege, Mr Chair: The minister has said that the opposition said certain things, and that is false.

**The Second Deputy Chair:** Order. That is not a point of privilege.

**Hon Ms Gigantes:** Certainly in the previous remarks by members of the opposition, motives were imputed to the government, motives were imputed to me personally. I didn't take objection, but the opposition is supersensitive, I understand. I understand the reason for that too. The reason for that is that the kind of views that they are trying to broadcast and trying to make people accept really don't stand up to good discussion.

**The Second Deputy Chair:** I want to remind the minister, we are dealing with the amendment.

**Hon Ms Gigantes:** That's right. Yes, and I was dealing specifically with that and explaining to you, Mr Chair, precisely why it was that we wished to see the exemption period being no longer than six months, which is the purpose of this amendment.

**The Second Deputy Chair:** Further debate on the government amendment? Are we ready for the question?

Shall the government amendment to subsection 1(3) of the bill carry? Agreed?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. The amendment carries.

To the honourable member for Lawrence, his amendment to subsection 1(3) is now out of order. Would you care to withdraw?

**Mr Cordiano:** I would withdraw.

**The Second Deputy Chair:** Mrs Marland, the member for Mississauga South, has an amendment to subsection 1(3).

**Mrs Marland:** Subsection 1(3): I move that clause (i.1) of the definition of "residential premises"—is this the correct one?—as set out in subsection 1(3) of the bill, be amended by striking out subclauses (ii) and (iii).

**The Second Deputy Chair:** I believe, from earlier debate, the member for Mississauga South indicated that subclause (ii) was to be deleted from your amendment because that part is no longer part of the bill.

**Mrs Marland:** That is correct.

**The Second Deputy Chair:** Therefore, Mrs Marland moves an amendment to subsection 1(3), that clause (i.1) of the definition of "residential premises," as set out in subsection 1(3) of the bill, be amended by striking out subclause (iii).

**Mrs Marland:** There are so many important amendments that we wish to deal with, and I'm not going to make any comment on this amendment at this point.

**The Second Deputy Chair:** Further debate on Mrs Marland's amendment? Seeing none, is it the pleasure of the House that the amendment to subsection 1(3) carry? No? I declare the amendment lost.

Further amendment to subsection 1(3).

**Mrs Marland:** I move that subsection 1(3) of the bill amending section 1 of the Landlord and Tenant Act be amended by adding the following clause:

"(1) and the Massey Centre for Women, located at 1102 Broadview Avenue, Toronto."

**Hon Ms Gigantes:** On a point of order, Mr Chair: We don't appear to have a copy of that amendment.

**The Second Deputy Chair:** The member for Mississauga South, some remarks on the amendment?

**Mrs Marland:** I've already given my arguments earlier this afternoon about why the program at the Massey Centre for Women must be continued and, therefore, the necessity for this amendment.

**Hon Ms Gigantes:** The government will not support this amendment because it would single out—apart from the fact that we don't intend to make such an exception, it certainly singles out one program. There are many other programs much like the Massey Centre for Women and it would be inequitable to treat one differently from others.

I've discussed this whole question with representatives of the Massey Centre and they said to me, "Why can't we make an exception for the Massey Centre?" The problem is, if you make an exception for one case, then you're going to have to make an exception for many cases and then you end up in a system where you're going to have to develop a whole set of guidelines and adjudicate on where exceptions are made and where exceptions are not.

The better way to do it is within a piece of legislation which has an overall, reasonable framework, which we believe this has, and to assist these centres in working out how their programs will operate within the new guidelines provided by Bill 120. That we have offered to do and that we will do very energetically.

1740

**Mrs Marland:** That's a very pointless argument that the minister has just given. The reason that we put this amendment was we thought, "Well, we might as well try for the Massey Centre." It's very obvious that this minister doesn't care about any of these programs or else we wouldn't be having to deal with these amendments in the first place. Thank goodness the member for York East cares about the program.

It's well demonstrated, because I say to the minister, who's not even sitting in her seat, the fact is that this minister, if she cared about these programs, would've supported our earlier amendments this afternoon. It's well demonstrated that she doesn't choose to listen to the providers of the program. She's happy to have the bill go through and destroy the program. We just thought we'd give her one more chance to defend one program that is directly funded by two ministries of this government. But that's fine.

**Mr Cordiano:** I wasn't going to make any comment, but I was twigg'd by some of the comments by the minister with regard to the exceptions. It is precisely that reasoning that goes towards the extension of the six-month rule to the 18-month exemption, which would not make it an exception; it would make it the rule.

I say to you that this is another case of another group which will not survive through Bill 120, and at the end of the day, the Massey Centre for Women will be adversely affected. There is absolutely no doubt whatsoever that the Massey Centre will be adversely affected and its program. I fail to see how they can survive this. Their program, obviously, is one of those that runs 24 months, and even an 18-month exemption would be difficult for them to achieve, but at the very least, it would give them an additional year, and they could tailor their program to something more reasonable and something that could be achievable by the Massey Centre. But six months certainly will not do that for them, and I think we'll see the end of the Massey Centre as a result.



**Mr Bernard Grandmaître (Ottawa East):** I agree with the minister when she says we can't make exceptions to the rules. I have a letter that's been signed by the minister saying, "At the same time, we have been careful not to introduce measures which would negatively affect the operations of many legitimate and well-run care homes which can be found across the province." Can you explain this? If you say you will not make any exceptions, so you're saying only the mismanaged homes—

**Hon Ms Gigantes:** That's a foolish question.

**Mr Grandmaître:** Well, this is what your letter is saying. Can you explain the content of your letter, Madam Minister? No answer. Thank you.

**Mr David Johnson:** I know we're coming up to the bewitching hour, and I guess the votes are going to take place in about two minutes. It's a shame we didn't get to talk about the aspects of basement apartments as well, and the fact that when I inquired of the East York Fire Department, as the minister suggested I do, as to how many homes it was able to get into to inspect to make sure they were safe, the response I got was, out of 10 homes, it was able to get into three. The other seven they didn't get in because people weren't home or people would not allow them to get in. That's the ratio.

**Mr Gary Wilson (Kingston and The Islands):** On a point of order, Mr Chair: I don't see what this has to do with the amendment that's before us.

**Mr David Johnson:** This has to do with the whole bill, but to speak to the amendment that's before us, I did mention earlier the problems that the Massey Centre has in giving service to unwed young mothers, ages 13 to 17, and the problem that this is going to impose upon them.

I will say, because the minister makes it seem as if it's just the opposition that's holding this up, that I have a letter which arrived in my office a week ago from the board of health of the borough of East York—I hope the minister is listening to this; from the board of health, Minister, of the borough of East York—recommending that an exemption be made for the Massey Centre. That's not the opposition. That's not us holding it up; that's the board of health for the borough of East York.

**The Second Deputy Chair:** I have a document which reads as follows:

"At 5:45 pm those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee of the whole House shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto and report the bill to the House."

This time has now come. The first one we are dealing with is the amendment which was on the floor at 5:45. It is Mrs Marland's amendment to subsection 1(3).

Is it the pleasure of the House that Mrs Marland's amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare the amendment defeated.

We now move on to a Liberal amendment to subsection 1(4).

**Mr Cordiano:** On a point of order, Mr Chairman: I'm not following the procedure here. I thought that at 5:45, the bill would be called and we would be dealing with the entire bill. If we're going to proceed through clause-by-clause amendment by amendment, I misunderstood that.

**The Second Deputy Chair:** Every amendment is deemed to have been moved, and we have to deal with them individually.

**Mr Cordiano:** Well, Mr Chairman, I'm not sure what time we have to take us through that process. Will this become a matter for another day?

**The Second Deputy Chair:** We are going according to the motion. We have to deal with the amendments individually and we are now proceeding with that process.

**Mr Cordiano:** Thank you, Mr Chairman,

**The Second Deputy Chair:** We are now dealing with a Liberal motion, amendment to subsection 1(4).

Is it the pleasure of the committee that the Liberal amendment to subsection 1(4) carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. The motion is defeated.

Shall section 1 of Bill 120, as amended, carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. I declare section 1 of Bill 120, as amended, carried.

We now move to section 2.

Shall section 2.0.1 and section 2.0.2, without amendments, carry?

All those in favour of that portion without amendments, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

The motion without amendments is carried.

1750

**Mrs Marland:** Is there not a Liberal motion to 2.2?

**The Second Deputy Chair:** We have not got to that section yet, member for Mississauga South.

We now have a government motion adding section 2.0.2.1 to the bill, amending section 89 of the Landlord and Tenant Act. This government motion presently is out of order, and the only way we can deal with it is with unanimous consent. Do we have unanimous consent? Yes.

We then will deal with the amendment adding section 2.0.2.1 to the bill. Is it the pleasure of the House that the government motion carry? Agreed.

**Mrs Marland:** Earlier this afternoon, there was another amendment to section 89 which I understood was ruled out of order because section 89 of the act was not being opened. This motion also deals with section 89.

**The Second Deputy Chair:** We had not dealt with anything to do with section 89 until the immediately previous amendment, which we got unanimous approval to deal with.

**Mrs Marland:** So that's why. Thank you.

**The Second Deputy Chair:** The Liberal motion adding section 2.0.3, amending section 89 of the Landlord and Tenant Act, is also out of order. Do we have unanimous consent to proceed with this Liberal motion? Yes, we have unanimous consent.

Is it the pleasure of the House that the Liberal motion adding section 2.0.3 of the bill, amending section 89 of the Landlord and Tenant Act, carry? Agreed. I declare the motion carried.

A further amendment adding section 2.1 by the Progressive Conservative Party is also out of order because it is beyond the scope. Do we have unanimous consent to deal with it? We don't. Therefore the motion is out of order and will not be considered.

We now have a Liberal motion adding section 2.2. The motion is in order. Is it the pleasure of the House that the Liberal amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare the motion defeated.

We have a further amendment, Progressive Conservative Party, to section 2.2. This is out of order because it is beyond the scope of the act. Do we have unanimous consent to deal with this amendment? No. We therefore shall not deal with the PC amendment to the motion.

A further Progressive Conservative amendment to section 2.3 is also out of order because it is beyond the scope. Do we have unanimous consent to deal—no. We therefore shall not deal with this amendment.

We have a Liberal motion amending section 2.4. This is also out of order because it is beyond the scope. Do we have unanimous consent? We do not; we shall not deal with it.

We have a Progressive Conservative motion amending section 2.4, also out of order. Do we have unanimous consent to deal with this amendment? We do not; we shall not deal with it.

I have a Liberal motion amending section 2.5, also out of order. Is it—no. We shall not deal with it.

A Conservative motion amending section 2.5. This is also out of order. It is beyond the scope of the section. Do we have unanimous consent? The member for Mississauga South on a point of order.

**Mrs Marland:** Mr Chair, it is helpful, if they are out of order, that we are told why. You've just said that my motion was out of order because it was beyond the scope—

**The Second Deputy Chair:** Of section 107 of the act.

**Mrs Marland:** Right. The previous motion of the Liberals, section 106 of the act, was also out of order, but you didn't explain why.

**The Second Deputy Chair:** Exactly the same reason.

**Mrs Marland:** It's out of scope. Thank you.

**The Second Deputy Chair:** We have a Progressive Conservative amendment to section 2.5, out of order; it is beyond the scope of the section. Do we have unanimous agreement to deal with it? We shall not deal with it.

We have a Liberal motion amending section 2.6, also out of order; beyond the scope. Do we have unanimous consent? We do not; we shall not deal with it.

A Liberal motion amending section 2.6.1, out of order; beyond the scope of section 107. Do we have unanimous consent to deal with it? We do not.

A Liberal motion amending section 2.7, out of order. Do we have unanimous consent? We do not.

Shall section 2.0.3, as amended, of the bill carry? Agreed?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare the section carried.

We are now dealing with a Progressive Conservative motion, the Progressive Conservative amendment to section 3, and the note here from the legal adviser is, "The proper process is to vote against this section as opposed to striking out." Therefore, we will be dealing with this amendment in voting against the section as opposed to striking it out.

We are now dealing with the PC motion to section 3. Is it the pleasure of the House that the Progressive Conservative motion to section 3 carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

I declare the amendment defeated.

Shall section 3 of the bill carry? Agreed.

1800

We now move to a Liberal motion amending subsection 4(1). Is it the pleasure of the House that the motion carry?

All those in favour of the Liberal motion, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare the amendment defeated.

Shall section 4, without amendments, carry? Agreed.

We now move to a government motion amending subsection 5(1). Is it the pleasure of the House that the government motion carry? Carried.

We now have a Liberal motion amending subsection 5(1). Is it the pleasure of the House that the Liberal motion carry? No.

All those in favour of the Liberal motion, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare the motion defeated.



A further Liberal motion amending subsection 5(1).

All those in favour of the Liberal motion, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare the motion defeated.

A further Liberal motion amending subsection 5(1). Is it the pleasure of the House that the Liberal motion carry? No. I declare the motion defeated.

We now have a government motion amending subsection 5(3). Is it the pleasure of the House that the government motion carry? No.

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

Shall section 5 of Bill 120, as amended, carry? Carried.

We now deal with a government motion amending section 6. Is it the pleasure of the House that the government motion carry? Carried.

Shall sections 6 through 8, as amended, carry? Agreed.

We now have a government motion amending section 9. Is it the pleasure of the House that the government motion carry? No.

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. I declare the amendment carried.

Shall section 9, as amended, carry? Agreed.

We now have a Liberal motion amending subsection 10(3). Is it the pleasure of the House that the Liberal motion carry?

All those in favour of the Liberal motion, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare the motion defeated.

This is a Progressive Conservative amendment to subsection 10(3). Is it the pleasure of the House that the Progressive Conservative motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare the amendment defeated.

Shall sections 10 and 11 of Bill 120 carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

I have a Liberal motion to subsection 12(5). Is it the pleasure of the House that the Liberal motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

I declare the Liberal motion defeated.

Shall sections 12 and 13 of Bill 120 carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. I declare the sections carried.

We're now dealing with a government motion to section 14. Is it the pleasure of the House that the government motion carry? Agreed. I declare the amendment to section 14 carried.

Shall section 14, as amended, carry? Agreed.

Shall sections 15 to 17, without amendments, carry? Agreed.

We're now dealing with a government amendment to subsection 18(1). Is it the pleasure of the House that the government motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare the government motion amending section 18 carried.

Shall section 18, as amended, carry? Agreed.

Shall section 19, without amendments, carry? Agreed.

We now deal with a government motion to section 20. Is it the pleasure of the House that the government motion amending section 20 carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare amendment to section 20 carried.

Shall section 20, with amendments, carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare section 20, as amended, carried.

Shall sections 21 through 25, without amendments, carry? Agreed.

We have a Progressive Conservative amendment to section 26. Is it the pleasure of the House that the Progressive Conservative amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

I declare the motion defeated.

We have a Liberal Party motion to subsection 26(1). Is it the pleasure that the Liberal motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the Liberal motion is defeated.

A government motion to subsection 26(3). Is it the pleasure of the House that the government motion amending subsection 26(3) carry? Agreed.

I declare the amendment carried.

1810

Further government motion amending subsection 26(4):

Is it the pleasure of the House that the government motion amending subsection 26(4) carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare the government motion carried.

Shall section 26, as amended, carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare section 26, as amended, carried.

We now have a government motion to subsection 27(1.1).

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the government amendment to subsection 27(1.1) is carried.

Further government amendment to subsection 27(2): Is it the pleasure of the House that this government amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare the amendment to subsection 27(2) carried.

Shall section 27, as amended, carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare the section, as amended, carried.

We now have a Liberal motion amending section 28. Is it the pleasure of the House that the amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

I declare the Liberal amendment defeated.

Further Liberal amendment to section 28: Is it the pleasure of the House that the Liberal amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

I declare the Liberal amendment to section 28 defeated.

Shall sections 28 through 32 carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare those sections carried.

We're now dealing with a government motion to amend subsection 33(1.1). Is it the pleasure of the House that the government amendment to section 33 carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare the amendment to section 33 carried.

Shall section 33, as amended, carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare the section, as amended, carried.

Shall sections 34 and 35, without amendments, carry? Agreed.

We now have a Progressive Conservative amendment to section 36. Is it the pleasure of the House that the Progressive Conservative amendment to section 36 carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the amendment to section 36 is defeated.

Shall section 36 carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. I declare the section carried.

We have a further Progressive Conservative amendment to section 37. Is it the pleasure of the House that this amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare the amendment defeated.

We have a further Progressive Conservative amendment to section 37. Is it the pleasure of the House that this amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare the amendment defeated.

There's a further Progressive Conservative amendment to section 37. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare the amendment defeated.

Again we are dealing with a Progressive Conservative amendment to section 37. I have a note here from the legal department that says the proper process is to vote against this section. I am therefore asking the committee, is it in favour of section 37?

**Mrs Marland:** Mr Chair, could you identify which motion you are—

**The Second Deputy Chair:** We are now dealing with an amendment to section 37, and the proper process is to vote against this section. We cannot strike it out.

**Mrs Marland:** On a point of order, Mr Chair: There are two Progressive Conservative motions to section 37. Which one—

**The Second Deputy Chair:** We are now dealing with the Progressive Conservative motion which states: "I move that section 37 of the bill be struck out." This is



not acceptable. The proper process is to vote against this section.

I am therefore asking the committee, shall section 37 as in Bill 120 carry? Agreed. Section 37 carries.

**Mrs Marland:** On a point of order, Mr Chair: There was a Progressive Conservative motion to section 37 under section 16 of the act.

**The Second Deputy Chair:** We are coming to it now, to the member for Mississauga South. It is now a new section, 37.1.

**Mrs Marland:** But did we not just vote on the whole section 37?

**The Second Deputy Chair:** This is a new section, 37.1. The Progressive Conservative amendment applies to that new section.

We now deal with the Progressive Conservative amendment to section 37.1. Is it the pleasure of the House that this amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare this amendment defeated.

We are now dealing with a government motion amending subsection 38(4). Is it the pleasure of the House that the government motion to subsection 38(4) carry? Agreed. I declare the amendment carried.

1820

We are now dealing with a Progressive Conservative motion amending section 38. The same as previously applies. The proper process is to vote against this section. All those in favour of section 38, as amended? Agreed? No.

All those in favour of section 38, as amended, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. I declare the section carried.

We are now dealing with a Progressive Conservative amendment to section 39. Is it the pleasure of the House that this amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare the amendment defeated.

Shall section 39 of Bill 120 carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. I declare the section carried.

We're now dealing with a government motion amending subsection 40(1) of the bill, subsection 39(1.1) of the Planning Act. All those in favour of this government motion? Agreed? Agreed. I declare the amendment carried.

We now have a Progressive Conservative amendment to section 40. Is it the pleasure of the House that the Progressive Conservative amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare this amendment defeated.

There's a further Progressive Conservative amendment to section 40. Is it the pleasure of the House that this amendment carry?

All those in favour of the Progressive Conservative amendment, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare the amendment defeated.

Shall section 40, as amended, carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. I declare the section carried.

Shall section 41, without amendments, carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. I declare the section carried.

We are now dealing with a Progressive Conservative amendment to section 42. Is it the pleasure of the House that this amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare the amendment defeated.

Shall sections 42 and 43 carry? Agreed.

We are now dealing with a government motion to section 44. Is it the pleasure of the House that the government motion amending section 44 carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. I declare the amendment carried.

Shall section 44, as amended, carry? Agreed.

Shall section 45, without amendments, carry? Agreed.

We now have a Progressive Conservative amendment to section 46. Is it the pleasure of the House that this amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

I declare this amendment defeated.

Shall section 46 carry? Agreed.

We are now dealing with a Progressive Conservative amendment to section 47. Is it the pleasure of the House that this amendment carry?

**Hon Ms Gigantes:** Mr Chair, can I ask you to read which sections are being amended with each of these, because there is a bit of confusion and the government intends to support one of them.

**The Second Deputy Chair:** The amendment reads as

follows, moved by the Progressive Conservative party, an amendment to section 47:

"I move that section 207.2 of the act, as set out in section 47 of the bill, be amended by adding the following subsection"—

**Hon Ms Gigantes:** No.

**Mrs Marland:** You don't understand that?

**The Second Deputy Chair:** There is more to it. Dispense? Dispense.

We now will vote on this amendment. It was moved by the Progressive Conservative Party that section 47 be amended. Is it the pleasure of the House that this amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

I declare this amendment defeated.

We are now dealing with a government motion amending section 47 of the bill, subsection 207.2(3) of the Municipal Act. Is it the pleasure of the House that this government amendment carry? Agreed.

I declare the amendment carried.

This now deals with a Progressive Conservative motion amending section 47. Is it the pleasure of the House that this amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

I declare this amendment to section 47 defeated.

We have a further Progressive Conservative motion to section 47. Is it the pleasure of the House that this Progressive Conservative amendment to section 47 carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

I declare this amendment to section 47 defeated.

We have a further Progressive Conservative motion which has already been dealt with in a government amendment, and therefore this is redundant.

**Mrs Marland:** On a point of order, Mr Chair: The government amendment that was redundant is subsection 207.2(3) of the Municipal Act? Is that the one?

**The Second Deputy Chair:** Subsection 207.2(3).

**Mrs Marland:** And it is redundant?

**The Second Deputy Chair:** It is the same as the government motion which was approved previously. They are the same, and therefore it is redundant to deal with it the second time.

**Mrs Marland:** But this is a government motion, correct, that is redundant?

**The Second Deputy Chair:** This is a PC motion, which was already dealt with previously under a government amendment.

**Mrs Marland:** Okay, thank you.

**The Second Deputy Chair:** Shall section 47 of the bill, as amended, carry? Agreed.

We now deal with a government motion amending section 48. Is it the pleasure of the House that this government motion carry? Agreed?

**Mrs Marland:** No.

**Ms Murdock:** You almost made it there, Noble.

**The Second Deputy Chair:** All those in favour of the government motion amending section 48, say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare this amendment carried.

1830

We are now dealing with a Progressive Conservative motion amending subsections 48(2) and (3). Is it the pleasure of the House that this amendment carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. I declare this amendment defeated.

Shall section 48, as amended, carry? Agreed.

We are now dealing with the final amendment. It is a government motion amending section 49.

Is it the pleasure of the House that the motion carry? Agreed. I declare the government motion carried.

Shall section 49, as amended, carry? Agreed.

I've been advised that a Liberal amendment to section 89 of the Landlord and Tenant Act, as proposed by Mr Cordiano, the member for Lawrence, and passed, is identical to the government amendment to section 89 of the Landlord and Tenant Act, as proposed by the minister and passed in section 2.0.2. It's my understanding that the minister is prepared to withdraw her amendment and let the Liberal amendment stand, which deletes one word in two places in the amendment. Do we have agreement?

**Mrs Marland:** Do you know what the two words are, please?

**The Second Deputy Chair:** The word "other" in two different places was deleted.

**Mrs Marland:** Mr Chair, in order to understand what we are voting on, I think it's necessary to have the amendment read fully.

**The Second Deputy Chair:** We are now dealing with a government motion adding section 2.0.2.1 to the bill, amending section 89 of the Landlord and Tenant Act:

"I move that the bill, as amended by the standing committee on general government, be amended by adding the following section after sections 2.0.2:

"2.0.2.1(1) Section 89 of the act is amended by adding the following subsection:

"Tenancy for care services"—

**Mr Cordiano:** On a point of order, Mr Chairman: I thought I heard you say that this was the government motion.

**The Second Deputy Chair:** It is a Liberal motion. I'm reading the government motion with the amendments.

"(3.1) The withholding by a landlord of consent to an assignment, sublease or"—and the word "other" is now deleted. It will now read "sublease or parting with



possession of premises shall not be considered to be arbitrary or unreasonable for the purpose of subsection"—dispense? Agreed.

Since we've already passed these amendments, do we have agreement for the minister to withdraw her amendment? Agreed.

Shall the title of Bill 120 carry? Agreed.

Shall the bill be reported, as amended, to the Legislature?

All those in favour of reporting the bill, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members; a five-minute bell.

*The division bells rang from 1836 to 1841.*

**The Second Deputy Chair:** Order, please. All those in favour of reporting Bill 120 to the Legislature will rise and remain standing until the clerk has counted.

All those opposed to reporting Bill 120, please rise and remain standing.

The ayes being 53, the nays 20, the bill shall therefore be reported to the Legislature.

**Hon Brian A. Charlton (Government House Leader):** I move that the committee rise and report.

**The Second Deputy Chair:** Mr Charlton has moved that the committee rise and report. Is it the pleasure of the House that the motion carry? Carried.

**The Acting Speaker (Mr Noble Villeneuve):** The committee of the whole House begs to report one bill with certain amendments and asks for leave to sit again. Is it the pleasure of the House that the motion carry? Carried.

#### PUBLIC SAFETY

**The Acting Speaker (Mr Noble Villeneuve):** We now have a late show pursuant to standing order 34. The question that this House do now adjourn is deemed to have been made.

The member for Renfrew North has given notice of dissatisfaction with the answer to a question given today from the government House leader, and therefore the member for Renfrew has up to five minutes to debate the matter, and the minister will have five minutes in response.

**Mr Sean G. Conway (Renfrew North):** It's always good, Mr Speaker, to do business under your capable tutelage, and I appreciate the opportunity. I don't intend to—

*Interjections.*

**Mr Conway:** It's very difficult.

**The Acting Speaker:** Yes. All members, please. The member for Renfrew North does have five minutes; it's a limited time.

**Mr Conway:** I raised today some questions for the minister of justice, and she chose, as is her right, not to answer the questions. She directed them to the government House leader.

Let me just say very personally and very directly that

I don't want answers from the government House leader. I should have had the presence of mind simply to withdraw the question and re-put it tomorrow, which I will probably do—

*Interjection.*

**Mr Conway:** —because I asked the question of the minister of justice quite seriously, I say to the Minister of Natural Resources, who's busy closing parks in my constituency today, I hear on the late news this afternoon. There will be some very, very good news after the next election. There'll be some miseries from which we will all be absolved, and I won't for a moment regret the passing of certain personalities from this place.

But let me just say to the minister of justice, who is, I know, a person concerned about these questions, that they are asked sincerely. The point I wanted to make today is a simple one.

There are a number of initiatives that have been raised to her and to the Solicitor General. We want to know, for example, what the government plans to do in respect of a number of the proposals that have been raised by a number of my colleagues, myself included.

I raised as well today the question of youth violence and a concern in the public about youth gangs. I was reading just in the last few days a report done for the government of Canada looking at youth gangs and youth violence, particularly in the Metropolitan Toronto area. It comes as a great concern for the public to learn in this report that in fact there is a significant increase in the incidence of violent crime involving young people.

The report to which I made reference earlier this afternoon highlights a number of issues. Let me just cite, for example, some of the conclusions and some of the findings of this federal report tabled just a few weeks ago.

It found, among other things, that between 1986 and 1991, that five-year period, violent offence charges for youths between the ages of 12 and 17 increased by 106%. It talks about how very young people are now being sucked into the vortex of serious crime, youngsters in grades 1 and 2 being implicated, the increased involvement of young girls. The reference is made, and I referred to it earlier today, that guns, gun replicas and other weapons are commonplace in Ontario schools today, that extortion and drug dealing are becoming a routine part of the daily life of many Ontario schools.

The public out there understands that this is a complex problem. They understand that there are not easy answers in some cases. But my sense of it is that the public, whether they're in Metropolitan Toronto or in your part of the province or mine, understand that there is a growing problem with young people and crime, and they want to know what governments—local, provincial and national—are doing about that. My question to the minister of justice for Ontario today was, does she have any kind of particular strategy to focus on the emerging problem of youth gangs?

**Mr James J. Bradley (St Catharines):** She ducked the question.

**Mr Conway:** And she ducked the question—today.

Tomorrow, I expect she may not choose to do so. It's just two years ago tomorrow that we saw the riots on Yonge Street, and at that time, as I indicated in my question earlier today, the government of Ontario said it was going to develop and implement a comprehensive strategy to get at the root causes that are driving so many of these disillusioned and despairing young people into the streets, whether here in Toronto or elsewhere in the province, to riot and to indicate their unhappiness with their lot in life.

I ask, rhetorically perhaps, where is that comprehensive strategy? Does the minister of justice have an answer to those questions? I and my colleagues and, more important, the people of Ontario would like to know.

**The Acting Speaker:** The government House leader now has five minutes in response.

**Hon Brian A. Charlton (Government House Leader):** It's unfortunate that the member for Renfrew North takes the tack on this issue that he takes and that his colleagues would sit there and suggest that the minister of justice, the Attorney General, ducked the question today.

Had the member for Renfrew North not spent the first part of his question grandstanding around discussions that have been going on between the House leaders in this House, discussions which the Attorney General has not been a party to, she would not have referred the question to me in the first place, but the member insists on playing politics and grandstanding around this issue.

So the question got referred. He got an unsatisfactory answer from, yes, a minister who has been part of the discussions with the House leaders around a particular committee request, but as a result his supplementaries were left wantonly unanswered.

But since the process in this House has suggested that he should do a late show tonight under the rules and that I should therefore respond, I've taken the time to get some information from my colleagues, both the Solicitor General and the Attorney General, and to respond, at least in part, to the issues he raised this afternoon. What the opposition thinks, that the only action that's going to happen is as a result of a requested all-party committee and that the government is doing nothing on these issues, is, I put it bluntly, just not correct.

The government has moved a number of major initiatives that deal directly with crime prevention in Ontario and other community-based organizations to encourage a local response to crime. The Ontario government has worked with federal and municipal governments to address the root causes, as well as the results of crime in our society.

Examples of a number of the areas where my colleagues have taken what I think are very appropriate initiatives: The creation of a public safety and violent

crime project to develop additional policing standards to guide police investigations into violent crimes; requests for longer sentences in cases in which a firearm was used in an offence or an offence was motivated by hate, one of the issues these opposition members have been ragging about for some weeks here, which this government long ago took initiative around and has proceeded to deal with; developing new wife assault and hate-bias crime standards to assist police in their efforts to deal with these crimes; support for the creation of a national council on crime prevention; introduction of a new protocol for school boards and police to combat violence in schools.

Specifically, moving into the area the member was referring to this afternoon, the area of youth violence and youth gangs, the Ministry of the Solicitor General and Correctional Services is working with the Ministry of Education to help prevent school violence. There is a new protocol for school boards and police to combat and prevent violence in schools.

Last October 1993, just six short months ago, before this member across the way showed any interest in the issue of youth violence whatsoever, the Solicitor General in this province proceeded to set up the ministry's public safety and violent crime project, which will be examining issues of youth violence and youth gangs and will be developing prevention and enforcement strategies for and with police. The ministry's involvement in the Ministry of Education initiatives allows us to ensure that our activities are integrated and coordinated.

These issues that the member across the way may very well be seriously concerned about, but only as of today, are areas of concern that my colleagues took initiatives on six, seven and eight months ago and are well down the road to dealing with the very issues he refers to in the report he was reading from today.

It's time that around issues like this, around issues that are so important in this society, we stop playing with the whiplash politics of question period and start trying to work together productively to ensure that we maximize the benefits these kinds of programs that have already been initiated by my colleagues and by this government are intended to get at.

The OPP and the municipal police services in this province are involved in programs like the VIP program, the values, influences and peers program. In this program, the OPP community service officers develop lesson plans and work in coordination with teachers and students across this province to start to address, in the preventive way, the kinds of issues we're referring to.

**The Acting Speaker:** Thank you very much. It now being well past 6 of the clock, this House stands adjourned until tomorrow morning at 10 o'clock.

The House adjourned at 1854.



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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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of Ontario**

Third Session, 35th Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 35<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

Wednesday 4 May 1994

**Journal  
des débats  
(Hansard)**

Mercredi 4 mai 1994



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 4 May 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 4 mai 1994

The House met at 1002.

Prayers.

## PRIVATE MEMBERS' PUBLIC BUSINESS

### LOAN BROKERS ACT, 1994

### LOI DE 1994 SUR LES COURTIERS EN PRÊTS

Mr Phillips moved second reading of the following bill:

Bill 152, An Act to prohibit certain types of payments to Loan Brokers / Projet de loi 152, Loi interdisant aux courtiers en prêts d'exiger certains types de paiements.

**The Acting Speaker (Mr Noble Villeneuve):** The honourable member has 10 minutes to open debate, after which every recognized party in the Legislature will have 15 minutes to participate in the debate, following which Mr Phillips will have two minutes in summation.

**Mr Gerry Phillips (Scarborough-Agincourt):** At the outset, I would indicate that the member for Mississauga East has indicated he would like to speak on the bill. I'd like to move unanimous consent, if I might, that he have five minutes of our party's time to speak on the bill.

**The Acting Speaker:** Do we have unanimous consent? Agreed.

**Mr Phillips:** Maybe I can just talk to the purpose of this bill; I think most members appreciate it. I became aware of what I now regard as a significant problem, and that is that there are a large number of people in Ontario who have been, in my opinion, quite literally tricked into providing a non-refundable deposit in expectation of getting a loan that essentially was promised to them by what I would regard as disreputable organizations, in many cases. They've given that deposit in anticipation and actually as a result of a promise of a loan forthcoming. They give the deposit, only to find perhaps one or two or three days later that there is no chance they will get the loan and that they can't get back the money they've deposited.

My experience in this area now is that in many cases these people are perhaps often the most desperate. They have an enormous need for financial assistance. They've tried many sources. Finally, they've been promised by someone that they will be able to get a loan. They often use the last money they have available to make what they regard as an advance payment. They provide that money and then never get it back.

This first came to my attention by one of my constituents, someone called Jo-ann Fried. She doesn't mind me using her name because she's been quite public on the matter. I frankly was not aware of the breadth of this problem until she raised it with me, and then actually a columnist in one of the local newspapers, someone called Linda Leatherdale, if you've followed this carefully, has kind of spearheaded this exercise. As a result of that, I

have a file of literally hundreds of people who have been ripped off—the only term you can use—by these organizations.

The reason perhaps we haven't acted on this before is that they are a series of individuals who have been ripped off. It's not a well-organized group. Many of them frankly have been embarrassed about it all, because they feel they have been tricked. They have used their last dollar and have felt they had nowhere to turn.

My bill is I think quite straightforward; that is, to prohibit these loan brokers, purported loan brokers, from requesting a non-refundable, upfront fee.

I suspect many of us have experienced this in our own constituency offices. If you've ever looked at the letters of the people who have been ripped off by this procedure, you can understand how it happens. They are promised, when they apply for the loan, that the loan has been secured. Sometimes they sign a contract. The contract sometimes says, "You will get back 80% of your processing fee." So they assume they can get back 80% of their deposit. You've got to get right down into the fine print to find out that the processing fee is only 10% of the total down payment, so even if they can get back this 80%, it is 80% of 10%, or 8% of their deposit.

Even if you are fairly cautious—and oftentimes, frankly, if any of us has been in a position of being quite desperate for money, we tend not to be cautious—if we hear that somebody's going to help us out, we think, "Thank goodness this is over; I've got my \$5,000 or \$6,000; all I've got to do is to go and put the little down payment down," only to find that you don't get it back, and if you get any of it back, it is 80% of 10%.

Why is this important? It is important as a consumer protection measure. As I say, I have literally hundreds of letters, and these are all individuals, not well organized, often, as I say, in very desperate financial straits. So it is a significant problem and there is no question in my mind that we are dealing with firms, organizations, that are being allowed, I believe, to literally rip people off.

I appreciate that we can't protect everybody from every possible situation. I think all of us have some responsibility to be, as they say, buyer beware.

But having said that, I think there are lots of instances where we as legislators can provide reasonable consumer protection. For example, if you buy something from a door-to-door salesperson there is a cooling-off period. It's been found that this is a reasonable consumer protection. If you get a fast-talking person coming to your door who sells you something, there is consumer protection that says, "Listen, you have a cooling-off period and if, on reflection, once the person's left, you look at the contract and you decide you don't want it, you have a period of

time in which you can revoke that contract."

I view this legislation in the same way. I fully appreciate that all of us have a responsibility to watch what we do and to watch the arrangements we enter into. But in this case, if you read these letters—and many of them are very sad. There are many single parents here who have been desperate to find some way out of their financial difficulties and have been sold an absolute bill of goods by these disreputable organizations. Some people who were very cautious as they entered this arrangement. They spent a lot of time talking to them, only to be tricked. As I say, I looked at the contracts and I think almost any one of us in this Legislature could very easily, if we were desperate for finances, have made exactly the same mistake, particularly when it says you are going to get 80% of what you thought was your fee but it was only 10% of the fee. They carefully say, "Processing fee is 10% of the total fee."

1010

I now have concluded that while in the total scheme of things in Ontario this may not be the world's most important issue, for literally hundreds of people out there it is an extremely important issue. For the ones who have been ripped off, it's going to be difficult for us now to go back and fix that for them, but it is clear that by passing this piece of legislation, we can protect literally thousands for the future.

I hope I'm not putting words in the Minister of Finance's mouth, but I think he has indicated to me that he doesn't believe he has a problem with this legislation. I think he's indicated it is difficult for the government to move on this because it would have to be part of a bigger package, and with all the other things going on it's somewhat difficult, but I think he's indicated to me that the government doesn't have difficulty with the wording of the legislation. I shared it with both himself and the Minister of Consumer and Commercial Relations two weeks ago.

My hope today is that all of us can support this bill. My hope would be that we could fairly quickly refer it to our finance and economics committee for a quick look at it to make certain that we haven't missed any wording in the bill. I would hope that we could look somehow or other to having this passed with third reading before we break for our summer recess in the latter part of June.

Just to summarize, I think it's an important bill. I think we can protect thousands of people in the future. Any reasonable organization would not object to the bill; it is just the organizations that are ripping people off. As I say, I appreciate that we cannot protect everybody from everything, but in the scheme of things, I think this is reasonable consumer protection. I would hope that we could later today receive good support from the Legislature. I would hope that we could briefly send it to our finance and economics committee and that we could then see this pass for third reading and do something for the people of Ontario by summer.

**Mr Allan K. McLean (Simcoe East):** I'm pleased to rise in my place this morning and participate in this debate on Bill 152, An Act to prohibit certain types of payments to Loan Brokers. I commend the member for

Scarborough-Agincourt for bringing this bill forward, although I'm disappointed that he has to do this. The ministry could have stepped in and done something about it. The minister could easily have made an amendment to the Mortgage Brokers Act that is regulated by the financial institutions ministry to include loan brokers. That way, each would have to have a licence to operate and follow strict guidelines, such as supplying audited statements. That would mean that the legitimate brokers would stay in business and the others would no longer be in business.

I became aware of some of the things that are happening, as the member has indicated, and there are a lot of people who are not aware of the amount of people who are being ripped off in this province by loan brokers. There are the articles that Linda Leatherdale has had in the paper on many occasions with regard to this very issue. "Six accused of defrauding the public of \$71,900; brokers were charged" is just an example of what's taking place.

The people who loan money to the ones who are in desperate need, who cannot borrow it somewhere else, indicate that they will get the funds for them with an upfront fee, and then they don't get the loan and they don't pay back the money that they had charged. The loan agency hits the helpless. The single mothers, the jobless, are often the targets of these people.

Some of the clippings: "Watch For Loan Brokers' No-Refund Fee." There are many items that have been in the papers with regard to this very issue and I'm pleased the member has brought this bill forward for debate in this House, because I hope it will make people out there more aware of what the problem is. Those people who are having a hard time to make ends meet, who want to borrow money, if you can't get it from an institution and you have to go to a loan broker, then beware, because we see what's going to happen. People such as Gerry Phillips and Linda Leatherdale have raised this issue on many occasions.

This is something I'm pleased to participate in in our private members' hour, because I do believe it will do some good. We have many discussions in this House, usually on Thursday mornings, but this week it's Wednesday, with regard to many items. I believe this is a priority item and that the minister—I do not understand why they have not taken the lead in this. The ministry is out there charging \$50 for many businesses just to have a fee to licence. Here she could be doing something that would be saving people money and really, I believe, doing some good.

The essence of this bill is:

"(1) No loan broker shall accept a non-refundable payment, an advance payment or a deposit, or require or attempt to induce a person to make any such payment or deposit, for services to be rendered or expenses to be incurred by the loan broker or any other person.

"(2) A person who contravenes subsection (1) is guilty of an offence and on conviction is liable to a fine not exceeding \$5,000."

I hope that the government members here today will



give second reading to this bill, and as the member has indicated, he would like it to go to the finance committee for further discussion. I will be wholeheartedly supporting him, because if we can save some of those people out there from being ripped off, it makes sense to me.

**Mr Kimble Sutherland (Oxford):** I'm pleased to rise to make some comments regarding Bill 152. I too have constituents who have been taken advantage of.

One gentleman was an immigrant from a European country. While he spoke some English, he didn't have a perfect command of English in terms of understanding all the terms of the contract and, of course, he did not get the mortgage. As the member for Scarborough-Agincourt has indicated, these people are being taken advantage of and it is a very terrible situation.

In that regard, I want to commend the member for Scarborough-Agincourt for bringing this forward. Certainly, the government is aware of the problem and is concerned about unscrupulous loan brokers. Let me say, though, that the government does have some concerns about Bill 152 and how it's been presented and I'd like to outline some of those concerns.

First of all, section 1 provides a very broad definition of "loan broker" that may make the bill unworkable. For example, the definition would in effect make illegal the upfront fees that are common practice in thousands of commercial transactions arranged by lawyers, security dealers and investment bankers. This definition would make this bill conflict with the practice in these industries, which it was not intended to do. This would make it very difficult, though, to put the bill into effect. To be workable, the bill would need to more precisely define what a loan broker is.

1020

The bill would also not be effective because it does not describe how complaints would be dealt with and does not provide the authority to quickly investigate and deal with problems. If a consumer files a complaint, what would happen? How would the ministry investigate it? The bill does not provide for any investigation powers. Without these powers, the government would be limited to information given voluntarily by the consumer and the broker. If the broker doesn't cooperate, a search warrant may be needed. However, obtaining a search warrant under the Provincial Offences Act can be a cumbersome process.

To protect consumers, Bill 152 needs to provide some investigation powers to obtain access to documents. Other consumer protection laws provide this authority. Lacking this power would very clearly hamper the government's ability to gather evidence to successfully prosecute loan brokers.

To be effective, the bill also needs penalties that would deter loan brokers. The proposed \$5,000 maximum fine is very low. Other consumer laws allow penalties as high as \$25,000 for individuals and \$50,000 for companies. In setting penalties, we have to consider that the actual fines imposed by the courts are usually a fraction of the maximum. Where the maximum is \$25,000 for an individual, the courts often impose a penalty of \$1,000 or

\$2,000. So with a maximum fine of \$5,000, a loan broker may be fined as low \$150 or \$300. You could have cases of loan brokers who are charging fees of \$500 or \$600 only being fined \$300.

Another deterrent lacking from the bill is providing for restitution to the consumer. Fines go to general revenue, so even after the broker is charged and fined, the consumer may still not have his or her money back.

As I said, the government is very concerned about the problem of loan brokers charging non-refundable advance fees. We support the intent of Bill 152 but we believe there are some significant weaknesses in the current draft that would not allow the strong consumer protection the member for Scarborough-Agincourt is trying to achieve. This bill, to be workable, would definitely require a great deal more work and some significant amendments. But all of us as members, as the member for Scarborough-Agincourt has indicated, have had constituents who have come in to us who do have some very serious concerns, who have been taken advantage of by these unscrupulous people who are, as the member said, really in effect ripping people off because they're not able to deliver on the service they're contracting, and of course the individuals do not get the refund back.

That is most unfortunate, and there's no doubt many people are losing out, many dedicated, hardworking people. As the member for Scarborough-Agincourt also indicated, these people are sometimes turned down by our regular financial institutions and become a bit desperate in terms of looking for funds and forms of financing. When you're in that situations, sometimes if people tell you they can achieve those funds for you, you forget about some of the fine print. That is extremely unfortunate.

I want to commend the member for Scarborough-Agincourt for bringing the issue before the House and before the public. By having it debated here today, it should hopefully provide for some more awareness among the public to be very wary of these types of people who are offering these services, to read the contracts very clearly, to find out and ensure that if they're not going to be able to achieve what they said in terms of obtaining the loan, you can get a full refund.

It's good that we are debating this piece of legislation, but the government does have some concerns, particularly the Ministry of Finance, about some of the specifics, as I've highlighted in my presentation.

**Ms Dianne Poole (Eglinton):** I'm very pleased to rise in the debate in support of the member for Scarborough-Agincourt's bill, Bill 152. I commend the member for bringing it forward. It's very important that when we as private members get indications of abuse, of the vulnerable being exploited, we rise to defend them.

The parliamentary assistant made some comments about support of the intention but having difficulty with some provisions of the bill itself, that it needs tightening up in definitions and in penalties and other aspects. I would say that if we as members thought every bill that came before this Legislature and was introduced was perfect, we would have no need for three readings, we would have no need for committees, we would have no

need for public hearings or any of that process.

There will be opportunities, if this bill is sent to committee, to strengthen it, to ensure that it does exactly what we want it to do. I hope government members will support this bill, because we are sure it can be amended in a way that will protect the vulnerable.

This issue first came to my attention, as I think it did for a number of other members, in the column by Linda Leatherdale, the business editor for the *Toronto Sun*, and I'd like to quote from a couple of her early columns. She's been writing about this since January of this year. I'd like to quote a couple of the things she says, because I think it highlights the problem.

She talks about the taking of non-refundable, upfront fees for the false promise of easy money for the destitute, those who are desperate, as the member for Scarborough-Agincourt has described, people who are very desperate to get a loan, perhaps to put themselves into business, to do something with their lives, to accomplish something, yet the normal ways of financing are closed to them because of their circumstances.

Linda Leatherdale says:

"What do we have in Ontario, where these loan brokers have been feasting on the down-and-out since 1990 when our economy sank into the greatest contraction since the Great Depression?

"We've had warnings from the federal government's consumer and corporate affairs department saying Canadians should be warned about the following types of scams:

—"Easy loans."

—"No credit? Unemployed? No problem."

—"Money available regardless of past credit history."

—"Bankrupt? No collateral? Call us today."

"But we're left with toothless legislation that makes it impossible for the law to clamp down, though we've seen police raid some premises and lay fraud charges.

"It also burns me that six years ago David Peterson's Liberals wrote a draft 'fair marketplace code' that would clamp down on these loan brokers, but it still waits to be passed into law.

"Two years ago, I spoke to NDP consumer minister Marilyn Churley and begged for a speedup on the code. Yesterday I phoned her office and found out, though the code has approval of a cabinet subcommittee, still there's no date for implementation....

"Our question? How many more unsuspecting people have to bleed?"

That's the issue. Are we as legislators going to protect these people who are vulnerable? As the member for Scarborough-Agincourt has pointed out, it isn't only a case of buyer beware; you have to read right down in the fine print. You practically have to be a lawyer to understand it, and all these people don't have the resources to hire a lawyer. That's why they go to these loan brokers to begin with, and then in the very bottom print, the very finest of print, it says that 10% is a fee, but it doesn't say that's just the processing fee and the rest is lost to them.

We as government, as a Legislature, have to ask

ourselves the question, what is our job as government? One of our major jobs has to be to create an economic climate where we can prosper, but surely one of our other jobs is to protect the vulnerable, to protect consumers, and that's something every person in Ontario believes in: the protection of consumers. Education is important so that the buyer-beware clause can have full meaning. But there are cases such as this when that's not enough.

1030

I would be really proud of each one of us, members of all three parties, if we could stand in unanimous accord that this principle is one we support, that we support it as a Legislature. We'll work out the problems with it later. We will have strong, effective legislation, but let's give it its first chance. Let's pass this legislation and let's show the people of this province that we're standing up for them.

**Mr Chris Stockwell (Etobicoke West):** I have some pleasure in standing to speak to this particular issue. First, let me say that I doubt very much you're going to find too many people in this Legislature today who would oppose the basic principle of this legislation. There is faint praise, I suppose, coming from the parliamentary assistant to the Finance minister, the member for Oxford, standing up today and outlining all his concerns with the bill. It proves that, really, parliamentary assistants have about as much power as the guy who's selling the newspaper on the corner of the street downtown. He comes in here today and lists his concerns about this legislation, why this is not acceptable and that is not acceptable and so on and so forth.

I believe that if the government were truly intent on carrying forward this piece of legislation—

*Interjection.*

**Mr Stockwell:** I can't hear the mutterings of the mayor of Chatham over there, but I'll listen a little closer. If this government were really intent on pursuing this kind of legislation—he's muttering again, Mr Speaker; I can't hear him—why did they not return to the member who introduced it weeks and weeks ago and give him the information they have brought forward today through the member for Oxford, who is the parliamentary assistant/newspaper salesman? Why could they not have brought this kind of information forward weeks ago and then drafted this up so it would be acceptable to them? Why could that not have been done?

The issue is accepted on all sides of the House. I don't think there's a member in here who will disagree with this. But now we've got problems with the legislation because the government stands up the morning of the debate and lists a series of concerns it has. I ask the member for Oxford, why couldn't you have brought these concerns to the table weeks ago—as he busily reads the press clippings. Why could you not have done that? Why could you not have paid attention and offered up these kinds of—

*Interjections.*

**The Acting Speaker:** Order, please. Interjections are out of order. The honourable member for Etobicoke West, address the Chair, please.



**Mr Stockwell:** It is very difficult to come forward in private members' hour, to come forward with sincere concerns about the fact that people are being ripped off by less than honest business people out there, to bring forward a piece of legislation that calls for the kinds of changes that need to be made, to have all sides of the Legislature agree that these need to be made, and then the day the debate is taking place have the parliamentary assistant stand up and list five or six reasons why this thing can't fly.

It's frustrating to me. I don't know about the member who wrote the piece of legislation, but it's very frustrating to me. If this information was new to them, yesterday or the day before, I could understand it, but they've had this in their hands for weeks upon weeks. They could have easily brought forward some changes, and I'm sure the member from Scarborough would have been very accommodating in accepting those amendments so it could get to the floor here today, so we could all stand together and pass this kind of legislation and protect the kind of people the member for Oxford spoke about.

Is he really interested in protecting those people? Are we really interested, and are the government members very interested, in protecting people so they don't get ripped off for thousands of dollars from unscrupulous business people out there? Are we here just for bit of show and gamesmanship so we can stand before this Legislature at the very last moment and explain why this thing is drafted incorrectly and wouldn't accomplish what it was intended to accomplish, and the ministry officials have decided that this kind of thing can't fly? Who's running the show, the ministry officials or the elected officials, for heaven's sake?

All it would take, I'm sure, the member for Oxford being the powerful, going-for-it kind of politician he is in that government, is to simply attach a little letter to this that says, "Compliments of the powerful member for Oxford," and "Respond to this for me, please, Finance people." Who's taking direction? Are the bureaucrats directing him or is he directing the bureaucrats, for heaven's sake?

But no, we can't do it today because the member or the Finance minister just couldn't find enough time in the last three weeks to ask for input from the Finance people so we can be out there protecting investment and dollars of hardworking Ontario citizens from the people who are trying to rip them off.

Boy, that would have taken a lot of work, to get those kinds of comments on the record weeks ago so this kind of legislation could be shown here today, accepted by all parties and moved through the process, so we could get on with the business of governing this province rather than the business of listening to bureaucrats tell powerful newspaper salesmen from Oxford what we're supposed to do in this Legislature.

It's very frustrating. It turns this whole process into what I consider to be a bit of a sham. We sit here day after day, every Thursday morning, Wednesday morning today, and we hear good ideas coming forward from the opposition benches, good ideas that should be adopted, protecting people, and they get turned down for technical-

ities and lack of work on the government members' side.

If it isn't in the job description of a parliamentary assistant to the Minister of Finance to be seeking out information on this kind of thing, to be assisting private members in drafting legislation that will be accepted by all sides of the House, if it isn't in his job description to ensure that Finance bureaucrats can come forward with their problems and concerns with respect to private members' bills maybe more than two minutes before the hour starts, then what is his job? What are they supposed to be doing if they're not out there to protect the citizens of this province and to adopt legislation that is universally accepted by all sides of the House? I don't know what their jobs are. I don't know why they get paid the extra money, other than, possibly, getting coffee for the ministers. That's about the job description I can see.

**Mr Randy R. Hope (Chatham-Kent):** Is that what you do, Chris?

**Mr Stockwell:** The mayor of Chatham is mouthing again, the statesman from Chatham, because it hits home to the mayor of Chatham there, the ex-mayor of Chatham in a short time. It hits home because he knows the job description he thought he was coming down here to fill is painfully less than what he is in fact doing. Coffee and newspapers: That appears to be their goal, that appears to be their game plan. We can't even get this kind of information before this Legislature in a timely manner that would save the citizens of this province tons of money.

*Interjection.*

**Mr Stockwell:** Let me just finish with the member from Chatham. What is it you want to say?

**Mr Hope:** You don't even show up for your own private member's bill.

**The Acting Speaker:** Interjections are out of order. Will the member address the Chair.

**Mr Stockwell:** There's an insight from the member from Chatham, with no knowledge.

**Mr Hope:** You talk and talk, with no solution.

**Mr Stockwell:** There is a solution, I say to the member from Chatham, who, as some other members put it, is an overnight guest babbling away. Go ahead and keep babbling, member from Chatham. Go talk to your favourite member for Oxford and ask him why these problems couldn't have been put on the table.

Why shouldn't we be able to adopt this today? Why couldn't this get second reading? We know it won't now, because people on that side of the House simply aren't capable of doing their jobs, aren't capable of dealing with the bureaucracy, aren't capable of governing this province.

I'm very disappointed. It turns this entire private member's bill into a sham, because one minute into the debate we have the member for Oxford standing up and telling us why this can't be passed. It's been in their hands for weeks. It leaves a bad taste not only in my mouth, I'm sure, but in the mouths of the citizens of this province when we can't even get an answer from the bureaucrats, weeks in advance, about why this thing should be changed or amended. I'm completely disap-

pointed, and you as members of the government should be disappointed in yourselves.

**Mr Noel Duignan (Halton North):** I'm very pleased to stand today to speak to this particular bill. Both myself and the Ministry of Consumer and Commercial Relations appreciate the intent of Bill 152. I too have seen the hundreds of letters that have come in from people across Metro and across the province who have dealt with these loan brokers or loan sharks, whatever term you want to use. Even though I myself have not received any complaints from any of my constituents in Halton North, I know there is a problem out there.

I'm very pleased to see the member for Eglinton stand in her place and say she's going to stand up for the people of Ontario. I'll be very pleased to see her do that in the future, when she stands to defend the people of Ontario from the Tory economic policy, which I believe has the intent of foisting economic terrorism on the people of Ontario.

1040

As members are well aware, businesses of this sort have sprung up across Canada and the United States over the last number of years. During this time, the ministry began receiving an enormous number of complaints from consumers about loan brokers and, like many areas of business activity, there is no specific legislation regarding loan brokers.

The Ministry of Consumer and Commercial Relations has implemented an information campaign warning consumers about the potential dangers of dealing with loan brokers. This consisted of a number of consumer advisory press releases over the last number of years, and the last one was in January of this year. MCCR also has a 24-hour, toll-free information telephone system which, among many other areas of consumer interest, outlines the problems associated with dealing with loan brokers.

Media attention to this attention has also been very helpful in alerting consumers and preventing problems. The articles by Linda Leatherdale on this issue have heightened people's awareness about the whole question about loan brokers. Most times I do not agree with what Linda Leatherdale writes in the paper but in this particular instance I do agree with her.

Basically, we're telling consumers that loan brokers are offering a service that they can basically do themselves, that they'll try to get you a loan. This is usually spelled out in the contract. When a loan broker fails to get them a loan, they are not breaching that contract.

For those who decide to use a loan broker, probably the best advice we can offer consumers is to read the contract carefully and make sure they understand every last detail before signing that contract. In fact, if people could afford it, the best advice of all is to bring it to a lawyer and get a lawyer to look at it. They should also insist on getting all details of the agreement in writing. The terms and the total cost of the loan, for example, should be spelled out in that contract. If the loan broker won't answer all questions or refuses to say who the lender is, what lenders are being considered or whether the loan can be sold to a third party later on, consumers

should not do business with them. Although it's agreed that there is a need to address the problems associated with loan brokers—or what I prefer to call bloodsuckers, because that's what they are: living off the desperation of others in this province—we are still not convinced that this bill is the most effective way of doing so. My colleague and member for Oxford has outlined some of those problems with this particular bill: in the definition of the bill, it indeed is not workable, and how a consumer files a complaint, for example. There are a number of problems that need to be dealt with in this bill.

The bottom line for this ministry and the Minister of Consumer and Commercial Relations is we will not support the passing of a bill that does not contain the provisions needed to make it a useful piece of legislation and for that reason we recommend to all members that this bill be referred to the committee of the whole where changes or alterations to the draft bill can be considered.

**Mr Charles Beer (York-Mackenzie):** I rise in support of the bill that has been put forward by my colleague from Scarborough-Agincourt. I want to begin by thanking the member who has just spoken, who has indicated that the Ministry of Consumer and Commercial Relations would support this bill going forward for examination. I think what I would put to the member is that where we really want to send it, so that it can be dealt with seriously, is to the standing committee on finance and economics, where it can be dealt with more expeditiously.

I think the point to make here—and there are two key things that I want to underline. One is to indicate that we are having from police forces around the province more information about this kind of activity. I was in Newmarket just last night for the civic awards presentations and at that the policeman of the year is awarded. This was a gentleman who has been very much involved in issues concerning fraud. I was chatting with him after on the numbers and kinds of things that are coming up and the difficulty sometimes of dealing with certain kinds of fraud because our legislation is really not up to date. To a certain extent, some of these crimes have moved beyond our capacity to deal with them. Some of the Metro Toronto police officials who talked to Linda Leatherdale around some of her articles have also stressed this, that we need improved legislation to be able to deal with these specific kinds of issues.

So I think there is a need out there. Again, what the member for Scarborough-Agincourt was saying, what my colleague from Eglinton was saying, and what the member for Etobicoke was also saying is, "Look, in terms of this particular bill, precisely the reason one wants it to go to committee is that no one is saying it is perfect."

I think there's always a difficulty on this side of the House in developing private members' legislation, and one recognizes one doesn't necessarily have all of the information required. But I think that what is important to note here is, and again as the member for Scarborough-Agincourt said, "Look, this is not necessarily the number one issue, but it is a critical issue and it's a place where we can help honest, ordinary people out there who are seeking to get loans, who are seeking assistance."



If we can get into the finance and economic affairs committee, those kinds of changes can be made, and quite frankly I think that can be of help in a very direct way to the government, to the Minister of Consumer and Commercial Relations, because a lot of the work had been done. I think we would be very interested in seeing what sorts of comments government members of that committee would bring to improve the legislation and to make it good.

As has been noted, my colleague from Scarborough-Agincourt did write to the Finance minister early in the winter, early in February. There has been a long period of notice. He also passed on copies of the bill to the government side. Here is his letter. It's dated February 3, 1994, to the Honourable Floyd Laughren. It's a brief letter. I'll read it:

"Dear Floyd,

"As you probably know, a constituent of mine by the name of Jo-Ann Fried has been the victim of a 'ripoff' from what clearly appears to be a disreputable 'loan broker.'

"This person is not alone, as you can see from the attached letters which have been given to me by Ms Fried.

"My question is this: What are the government's plans to deal with this? If you are not planning to move quickly on this, please let me know so I can prepare a private member's bill to deal specifically with this issue.

"Thank you for your consideration of this matter.

"Best regards,

"Gerry Phillips, MPP

"Scarborough-Agincourt."

The response from the Treasurer didn't come until April 27. So there was a long period of time, and during that time the member for Scarborough-Agincourt assumed that nothing was happening and went forward and developed his bill.

I don't have time to read all of the minister's response. He indicates clearly that the government wants to do something, but again, why the wait? Surely there was time to act. Now we do have, because of the member for Scarborough-Agincourt, an actual piece of draft legislation which can move forward.

The final point I want to make is that we talk constantly here about how we can make individual members' time more valuable. I think that what the member for Scarborough-Agincourt has done is he has addressed a particular problem, an issue around consumer protection that needs some action. He has brought forward a draft bill. That could go into the committee and it could be dealt with during this session. It wouldn't necessarily take weeks and weeks. The problem is fairly clear. We know there are other models that can deal with it.

So I would urge all members of the House not only to support this bill in principle but to agree that it should be sent to the standing committee on finance and economic affairs.

**Mr David Johnson (Don Mills):** I will be in fact supporting that we proceed with this legislation, and I

hope I'm not sensing any reluctance on the government's part in doing this. I note from an article some three years ago, I must say, that the minister, Marilyn Churley, is quoted as saying that she cautions consumers to read and understand the contents of any contract they sign so that they know the limits that are identified and the obligations they may face. But various people involved with the situation have indicated that the contracts we're talking about from the loan brokers are so vaguely worded that for the average person it's impossible. So it certainly is a problem that has to be addressed.

The stories are heart-rending, and obviously this is a case where all parties need to work together and come up with a solution. I guess the case from Oshawa has already been mentioned today of a single mother who paid \$245, thought she was going to get a loan for \$10,000 and ended up with nothing. This happened in December, just before Christmas. The money that she used to attempt to get this loan through the loan broker was to have been for the children's Christmas.

These stories come from all across Ontario. Another story from Windsor, a case where a person put down \$350 and then was advised afterwards that one of the restrictions would be that he would have to have collateral equivalent to the amount of the loan, and this wasn't stipulated up front. Another person placed \$350 down and was granted the loan but at 30% interest. And on and on these stories go. I see my time's running out, but Linda Leatherdale of the Toronto Sun has brought this to the attention as well and documented many cases. So we will be supporting that we proceed with this legislation.

**1050**

**The Acting Speaker:** Thank you. This completes the time allotment for the Ontario PC Party. Further debate?

**Mr Bob Huget (Sarnia):** I'm pleased to rise this morning as we debate Bill 152. Let me say from the outset that I'll be supporting the bill. There's no question in my mind that the issue of consumer protection is a very important one in our society and in this particular area there's obviously a need.

I take with interest some of the comments from the member for Eglinton in terms of, as she defined I guess, the types of individuals who need this kind of protection. It would be surprising, I think, for a lot of people to understand that the people who find themselves using loan brokers may not necessarily be stereotyped as any individual category of people in society. I used to, before I was elected, run a small business. Due to the inability of bank financing, government programs, in terms of trying to arrange operating capital, I think many people in society find themselves in a situation of desperation and have to go somewhere to either survive, put a roof over their head, or for whatever reason.

I think this is important legislation and it's the kind of legislation that should have been in place in this province for the last 50 years but isn't here. I think it's our responsibility to make sure that the legislation is put into place.

I do have a couple of concerns, though, one in particular around the maximum fine. I believe the maximum fine

as set out in the bill is \$5,000. My experience has been with other penalties for violations of the Consumer Protection Act, for example, by individuals or companies that the maximum fine is \$25,000; the actual fine is \$1,000 or \$2,000, as the courts assign it. So in my view, the \$5,000 fine is much too small. There should be a much heavier fine because the experience with fines under the court system is that with a \$25,000 maximum, we're seeing routinely fines being assessed at \$1,000. I don't think that's going to be enough of a deterrent at all.

The other problem I have is that I think the bill, through the definition of a loan broker, might be too broad. I think that issue has to be looked at because it really would cover, the way the bill is written, as I understand it, all loans made in the province, large or small, personal or commercial, secured or unsecured, unless arranged by a mortgage broker or financial institution. It might even include lawyers who obtain funds for clients on an incidental basis and transactions arranged by brokerage houses or investment dealers. So I think the definition of "loan broker" is an issue that has to be looked at. The fines have to be looked at; I think they should be much higher.

The other point I would make is that it really doesn't designate a ministry, as the bill is written, as responsible for administering this act. It provides no investigation powers and contains no enforcement provisions. My concern is that this is a major issue in today's society and without those areas being covered off, I wonder what we accomplish. To assign ministries, for example, or the government responsibility without any direct authority I think can get us into some problems as well in terms of trying to protect consumers.

But basically, there's no question in my mind, from my experience through life and talking to others, that many people get caught in this very vicious kind of a trap, if you will, and anything we can do to protect the consumer is something that certainly I take very seriously and I would assume the government bench as well as the opposition members take very seriously. It's long overdue and I'll certainly be supporting the bill.

**Mr John Sola (Mississauga East):** I would like to congratulate the member for Scarborough-Agincourt for coming up with this bill and also to thank him for the opportunity to speak. At the same time, I would like to thank the members of this House for giving unanimous consent, for showing that generosity of spirit, to let me speak on this matter.

However, I am perturbed by what seems to be an abrasive attitude on the part of at least some of the government members in their remarks. However, I am encouraged by the fact that they are willing to let it go, at least, to committee of the whole, if not to the committee that the member from Scarborough-Agincourt asked for, because I think the principle is what is important and not the details of this bill.

I would like to relate a situation that occurred in my constituency office not that long ago, where a constituent came in and described a situation that had happened to him. He needed a van to start a business in a vein that was similar to a job that he had lost. Because of the

economy, he had gone through several jobs in a short span of time, so he could not find any financial institution that would come up with a loan. He was able to come up with a van that a friend had but he needed a loan to be able to purchase that van.

He went through the want ads in the papers and he finally came upon one that seemed like a safe bet. He made the call and he made a deal. He signed an agreement to get a certain amount of money for a specific car that he had already found. When he went to pick up the car, he found that the loan was not forthcoming. He had been forced to pay an upfront fee but somewhere in the fine print was written, not in any specific language but in a debatable type of way, that the loan was available only if he purchased the car from a specific dealership. Therefore, he would forfeit the upfront money that he had given; in other words, the deal was signed in order to extract a certain amount of money from him because he could not purchase a car that he had already made an agreement on.

He was perturbed by this for several reasons. This person was a former police officer. He knew what to look for, he knew what he was getting himself into, and yet he was still caught. He knew what to avoid, he knew the pitfalls, and yet he was still caught. When people say, "Read the fine print. Make sure you know what you're doing," here was a person who had been trained to search for these sorts of things and he was still caught.

When he came to me—despite the hardship, he was still somehow able to get a different loan to get that van—he was coming to me for the principle of the thing. He wanted to avoid somebody else falling prey to a similar situation and he wanted me to work on a bill similar to what the member for Scarborough-Agincourt has come up with.

I want to say the following: Bill 152 sends a message. It sends a message that we as a society care, that we want to rectify the oversights of the past and that we are listening to the concerns of the most vulnerable in our society: those who have been most affected by this recession or depression, as you will. If we don't pass this bill, we will be sending the wrong message.

I congratulate the member and I would encourage everybody to support the bill.

**The Acting Speaker:** This completes the time allotted for—

**Interjection:** We have 30 seconds on the clock.

**The Acting Speaker:** The honourable member for Middlesex has a very short time.

**Mrs Irene Mathysen (Middlesex):** Yes. I am accustomed to shortness and I thank you for this time. I realize that I have only a very few seconds, so I would like to reiterate that our government members do indeed support this enhanced need for consumer protection. We understand, all of us here, I think, the kind of desperation that some people feel out there in difficult financial times.

I must say that at no time did I hear any abrasiveness from this side. I think that members here are completely supportive of the intent of Mr Phillips's bill.



**The Acting Speaker:** This does complete the time allotted. The honourable member for Scarborough-Agincourt has two minutes in summation.

1100

**Mr Phillips:** Sometimes I despair of this place. This is a serious problem that I have attempted to solve. Back in early February I sent the Minister of Finance a letter saying: "Are you going to act on this? What's the government going to do? If you aren't going to do something about it, I'll prepare a private member's bill."

I never even got a response to that until last week. Then I said, "All right, I will try to prepare a private member's bill." People out there should appreciate that the opposition have limited resources. I prepared a private member's bill to the best of my ability. I sent it to the government, saying, "Listen, give me your recommendations and suggestions." I never heard a peep out of them until today in the Legislature. I think that's despicable, frankly. I am trying to solve a problem and I have gotten absolutely nothing out of the government.

Today what I've heard from the government, and check me if I'm wrong here, is that it doesn't plan to proceed with the bill. They are going to vote in favour of it at second reading and then put it into that's called committee of the whole. Just so everybody understands out there, when it goes to committee of the whole, they're killing it. It's just a way to stop it.

Here we are, trying to solve a significant problem for the people of Ontario. The government members mouth that it's a significant problem. They won't do anything about it. I'm sorry if I'm getting angry, but months ago I sent a letter to the government, saying: "If you're not going to act, we'll try to help. Help us along." I then sent them the bill and said, "If you can improve the wording, tell me about it." I hear nothing until we get into the Legislature today.

You can appreciate the anger that hundreds of people out there are going to feel when they find out that the government is all talk and no action. If the government stands today and refers this to committee of the whole, that essentially kills it. As we try to protect people out there, we're being thwarted and we're being stopped from doing that by the government members.

**The Acting Speaker:** This completes the time allotted for second reading of Bill 152.

#### FIREARMS SAFETY

Mr Hodgson moved private member's notice of motion number 39:

That, in the opinion of this House, recognizing that all first-time hunters since 1960 have successfully completed the hunter education course, which includes safe firearm handling procedures, the government of Ontario should automatically grant a firearms acquisition certificate to people who have successfully completed that course and to those who have demonstrated a solid safety record through many years of shooting experience.

**The Acting Speaker (Mr Noble Villeneuve):** The honourable member for Victoria-Haliburton will have 10 minutes to open debate, after which all recognized parties will have 15 minutes to participate in the debate, and

then the honourable member for Victoria-Haliburton will have two minutes in summation.

**Mr Chris Hodgson (Victoria-Haliburton):** I'd like to begin by thanking Mr Harris, our party leader, for allowing me his time for this private member's resolution on a very important issue.

Why I've put this resolution forward is that during the recent by-election this was a concern of many of the people of my riding, Victoria-Haliburton, people who hunt because of lifestyle or recreation, farmers who have to use firearms for predator control and rodent control, and target shooters. We have the distinction in our riding of having an Olympic athlete, Dr Sobrian, an Olympic pistol shooter from Victoria-Haliburton, and other people who are involved in this sport and recreation.

I'd also like to thank the member for Parry Sound, Mr Eves, for his ideas and input on this resolution. I'd like to thank the Ontario Federation of Anglers and Hunters, officials at the chief provincial firearms office and also the Firearms Safety Education Service of Ontario for its input and ideas to make this a more rounded debate.

I'd just like to say that as all members of the House realize, under the Criminal Code, section 3, it's federal jurisdiction, and they brought out Bill C-17, which asked for national testing for firearms acquisition certificates. It's provincial responsibility for the administration of how that's carried out. Bill C-17 allows for grandfathering, for what we're asking in this resolution.

I'd just like to say that the stated provincial objective at the firearms office is to reduce accidental and intentional misuse of firearms. I think everyone in this House shares that concern, that we would like to see the safe use of firearms, and that we'd like to see them not in the hands of criminals. What I object to is legitimate gun owners—hunters, farmers, target shooters and Olympic athletes—being somehow associated with the criminal use of firearms.

We have a proud history in Ontario of teaching gun owners hunter safety courses. We've had that since 1960. The results of those lessons speak for themselves. Our accident rate in misuse of firearms in hunting-related accidents has fallen dramatically since the mid-1960s even though the number of hunters has gone up slightly.

There are existing laws in place in the province of Ontario which can address our concern and everybody's abhorrence with the criminal use of firearms that should be enforced, that are already there. If people misuse firearms, then punish them. If they fail to meet transportation, storage or use regulations, then punish them. To a legitimate firearms owner, the threat of punishment demonstrated by the enforcement of the law will make them comply. Our laws must be enforced to discourage criminal use of firearms. We have no disagreement with that.

I'd also like to see in the administration at the provincial level more record sharing between ministries so that people cannot renew licences or purchase firearms if they've broken any firearms regulation. This information is not shared at present. For example, if a person is caught poaching and loses their firearm, there's nothing stopping them from using their FAC to purchase another

weapon the very next day. Minor offences should mean mandatory enrolment in the course. Major offences should result in the licence or the FAC being revoked indefinitely. We have no problem with that.

But is it fair to make people who have used firearms safely for decades sit in a classroom and take a course and exam? They have demonstrated their proficiency by their actions, by their experience, and I think it is incumbent upon us to show respect to these older people.

I agree that the ministry and the administration of firearms control should work in cooperation with hunter safety and should bring all firearm users together to promote safety and educate the public. Under this present course, we're making it mandatory that the use of a restricted weapon such as handguns be taught and licensed. I feel that's an expense not only to the instructors' time, but it's a waste of time for legitimate hunters in this province, who can't use handguns. But it is a viable thing that should be an option for target shooters or people who have use of handguns.

The implication that the restrictions are too high could discourage people from buying more guns who legitimately use them for hunting or on their farms or in their recreation of target shooting. That has an impact on our economy in Victoria-Haliburton and in most places in rural Ontario, and even in Metro. By the number of petitions that have been presented in this House, you can see that this is an issue that's of great concern to many people in the province of Ontario.

A lot of our tourist business in the off seasons is dependent on attracting people who come up and hunt for recreational purposes, and this supports our local economy. At a time when business is hurting in that field generally across Ontario, I think it's important that we don't discourage that through excessive regulations and the heavy hand of government.

We've also got wildlife management. The Ministry of Natural Resources takes into account the role of hunters in its scheme of managing the wildlife in Ontario.

I would just like to point out that the hunters have already taken this course. They've proven their record of being safe. In Sudbury last year, there was a sort of test case for the FAC examination. People who have had the course or had past practice in hunting had a 99% success rate. If they had a quick review, it went up to 100%.

I don't feel this added burden of making older people go back and sit in a classroom, pay their fees and take a course has anything to do with the safety in our streets, and therefore they should be exempted from this regulation. If they've proven in their past history that they can handle guns, they should be exempt from the law that requires them to go and sit in a classroom, write exams and then purchase another firearm.

There are opponents of the grandfathering clause. They like to quote the Canada-wide test numbers. These numbers are remarkably lower than the ones in Ontario, the ones at Sudbury, because they don't take into account what other provinces have done. In Ontario, we have a fine history of implementing safety courses for young people entering to buy a gun for target shooting, for on

the farm or for hunting. Unfortunately, we don't have records of everybody who's taken a hunting course and that's not the hunters' fault; that's just the records of the Ontario government. They haven't been coordinated with the FACs.

In conclusion, I would just ask that all members of this Legislature join together to show a bit of fairness and respect for people who have demonstrated that they're law-abiding and use firearms accurately and safely, and that we can go on from here and have a consensus to tighten up on the illegal use of firearms and on criminals. But let's not lump the two groups together, people who through their business, like farmers, or people who for recreation or target shooting, and Olympic athletes, have proven time and time again that they have safe records. The number of fatalities in this province due to hunting-related accidents has dropped off dramatically. I would ask that everyone in this House support this resolution.

1110

**Mr Gary Malkowski (York East):** I'm very pleased to be involved in the debate today on the resolution raised by the member for Victoria-Haliburton on firearms acquisition certificates.

I think it's important at first to take a look at the historical perspective here and take a look at the Criminal Code of Canada. That legislation established standards for the responsible use of firearms in Canada. Prior to 1978, the code merely dealt with the hardware and criminal issues that pertained to the use of firearms. It was from that time onward that the federal government that administers the Criminal Code took a three-pronged approach to firearms regulations in Canada.

What the government did, the first prong, was that it addressed the screening out of individuals who had a criminal record or who had a history of violent behaviour, with the introduction of the firearms acquisition certificate back in 1979. The second prong was that the federal government imposed sanctions, which then prevented the illicit movement of firearms in our society. The third aspect was that it developed misuse laws to prevent the use of firearms in criminal acts and to avoid careless and negligent misuse by firearm owners.

Subsequent amendments to the Criminal Code strengthened these three facets of firearms legislation to ensure public safety. Also, this of course is an objective which we see as being beneficial not only to firearm owners but also to the public at large.

The most recent amendment comprised the enactment of Bill C-17 and its regulations back in December 1991. The amendments included an increase in penalties, new offence sections, new definitions for prohibited and restricted weapons, changes to the firearms acquisition certificate system and new regulations for firearms dealers. The final component of the federal gun control program under Bill C-17, the mandatory firearms safety education and training, was implemented in Ontario and was effective January 1 of this year.

I'd like to also discuss the issue of grandparenting. Like every province, Ontario has decided not to grandparent any previous firearms training as being equal to and



applicable to the content of the Canadian firearms safety course, for meeting the new knowledge requirements necessary to pass the compulsory federal testing.

The resolution that is being debated today is based on the argument that the new regulations basically reinvent the wheel, that forcing people who already have training, such as the hunter education course, to get additional training is actually unnecessary, and that in fact they may even be trained in firearms they don't want.

Let me address these concerns. Hunter safety training has an enviable safety record during the sporting season. According to the federal government, this new legislation is intended to improve the safety record for everyone all year round. The fact is that death and injury by firearms occur mostly away from sporting activities and involve non-sporting members of the public. For example, more deaths and serious injuries occur each year from acts of impulse or intentional misuse of firearms than from unintentional discharge. These types of incidents can be avoided if firearms and ammunition are more safely stored. Therefore, the national course stresses both the secure storage of firearms and ammunition as well as their handling and use.

Another frequently heard argument in opposition to these new requirements is, "Why should I be trained in guns that I have no desire to use?" The reason is quite simple: A person possessing a valid FAC is entitled to possess any legal type of firearm with that FAC. For that reason the Canadian firearm safety test covers the safe handling and knowledge of a wide variety of firearms.

Public safety demands that those acquiring firearms demonstrate that they can handle and use firearms safely. Therefore, I am opposed to this resolution and support the government in its decision of not grandparenting these requirements but making the national test mandatory for both new and renewal FAC applicants. The issue here is a safety issue and one we cannot ignore.

**Mr Michael A. Brown (Algoma-Manitoulin):** I would first like to commend Mr Hodgson for bringing this motion before the House this morning. It has certainly been of great interest to my constituents and, I gather, to constituents across the province of Ontario.

I, as most members, have had the opportunity of reading petitions with literally thousands of signatures that have been presented to this Legislature over the last little while, and I'm told that aside from all the petitions we're getting from across the province, the Solicitor General, Mr Christopherson, has received in the neighbourhood of 25,000 postcards from across this province asking that this resolution be supported—well, not actually asking that the resolution be supported, but asking that the province pay some attention to the needs of rural Ontario, to the economy of rural areas, to the recreational pursuits that have been followed by generations of Ontarians. We think, and I think, that the hunters and anglers of Ontario are making a very significant point.

This may be one of those issues that divides rural and urban members to some extent, basically because there isn't really a comprehension of what goes on out there in rural Ontario by some urbanites. In my office, I've had

people from various hunters' and anglers' clubs across my riding. They've been there from Whitefish Falls, from Espanola, from the North Shore, from the Elliot Lake club and they're saying: "Yes, we have Bill C-17. Yes, we understand that greater gun control is necessary, but we're not criminals. We have demonstrated that we know how to deal with firearms. We're not the problem. We've taken the courses. We've done what it takes to be safe." They've proven that over and over again and the statistics bear that out.

I just want to point out for people that wildlife-related expenditures in this province mean people spend money to the tune of \$2.2 million to fish and to hunt in this province. It is a significant part of our economy. It is not something we should be unduly restricting.

In my constituency on Manitoulin Island, I will tell you that there's a week in November that is known as a national holiday almost; it's called the deer hunt. The deer hunt is important. I think the principal of the high school has great difficulty during that time in keeping any of the people in class during that week. It is a tremendous boon not only to local people but to the people who are attracted to Manitoulin Island and spend money to pursue what has been a historic and important part of their everyday life.

1120

I also would like to bring to the attention of the House the effect this has on other people, as the Solicitor General interprets Bill C-17 for us. We've got farmers, and farmers need to have some control over pests in their areas. We have, obviously, the hunters. But something that hasn't been mentioned and has been brought to my attention as the critic for Natural Resources for the official opposition is that trappers and prospectors are having great difficulty in obtaining FAC licences and being able to do things that are necessary for their own safety in the bush.

As you know, prospectors and trappers, by the very nature of what they do, are required to carry significant equipment with them. It is very difficult for them to then carry a rifle. They have historically been able to carry pistols because it was the only weapon they could really carry. We've had some great difficulties in that area, and I want to bring that to the attention of the House.

What we are talking about today is not, in my view, a gun control measure. Bill C-17 has decided that. The problem is that the Solicitor General of this province has refused to understand the needs of rural Ontario. He's refused to understand the petitions of the Ontario Federation of Anglers and Hunters. They're asking for what I believe to be a most reasonable suggestion: that people who have completed a very good hunter safety course and know about guns be allowed to obtain weapons to do what they have always done. It makes good sense to me.

I have real difficulty understanding why the Solicitor General of this province can't work with the groups out there that do know about firearms and provide a very cohesive package that protects the public and yet does not put onerous and unnecessary requirements on people who have already proved they can do what they do quite safely.

It has been brought to my attention that the expense of what the government is proposing for a new hunter is quite unreasonable. It has been suggested to me that a person who wishes to become a hunter has to take the Ontario hunter safety course, as they have for some time now. They have to acquire an FAC. They then have to pass the two tests involved. There are fees for all that. It could be as much as \$400 to an individual to get a hunting licence, and that does not include the Outdoors Card and it does not include the specific hunting licence you must get.

I think what the government is attempting to do is make a sport that has been in Ontario for centuries now one for only the wealthy, only the rich. If you want to get into this new club, you're going to have to pay \$400-plus. That doesn't include buying any equipment.

I'm happy that the member has brought this resolution before the House. I will be supporting it, as will my colleagues. We think it is a valuable thing for the member to have brought this before the House, and we commend him on that.

**Mr Leo Jordan (Lanark-Renfrew):** It's a real honour and a pleasure this morning to stand here and speak in support of our newest member and of his resolution.

The member for Victoria-Haliburton, as you know, is one of our newest members, and has recently taken over the critic's job for the Ministry of Natural Resources. I was more than pleased to hear, as I was given Energy, that he would be following up on that ministry, because I received excellent turnover material from my predecessor, the member for Simcoe East, and I know he will continue to assist, as I will, the member for Victoria-Haliburton.

This morning the member has come forward with a very important resolution, not only to the riding of Victoria-Haliburton but to the province of Ontario, and I am more than pleased to stand this morning and speak in support of his resolution.

Going back to March 17 of this year, I received a letter from the executive vice-president of the Ontario Federation of Anglers and Hunters. He says:

"Enclosed are several petitions signed by residents of your riding," speaking of the riding of Lanark-Renfrew. "They and we would appreciate your presenting these in the Legislature as soon as possible. As Ontario's largest group of conservationists and firearms owners, we are strong proponents of firearms education and responsible ownership.

"In addition, we would like you to go to bat for these people. There is great anger and unrest all over this province due to the provincial decisions"—not federal, provincial decisions—"relative to grandfathering, expensive fees, and requiring both the FAC and the hunter education courses and examinations.

"This must be corrected, and your help and strong action will be appreciated."

I'm pleased this morning, even as a follow-up to yesterday's news of our revolution for this province, known as The Common Sense Revolution, to see our new

member coming forward with what we would consider a commonsense approach to this legislation.

It just makes common sense that these people would be grandfathered and save all this cost and frustration for people who have earned their place in this province, not only as hunters and handlers of firearms but as taxpayers and citizens.

It's important that we apply this commonsense approach to other legislation and try and get the people who are paying the taxes out of the shackles that governments over the years have gradually put us in.

I can't accept the Solicitor General's response to my question. He is trying to tell me that he can't do anything, that this is a federal issue. I will read from Hansard. He says:

"Let me say with regard to the issue the member raises that the matter is one of public safety, and it's a question of whether or not we are going to allow exemptions that could indeed allow individuals who maybe should be taking the course and should be taking the test to perhaps not take it. The only way to deal with it properly was to ensure that everybody has to take the test, as the federal government has outlined.

"I would say, in conclusion, that the honourable member for Lanark-Renfrew should know that every province in this entire nation has taken the exact same position that Ontario has."

First of all, he's trying to get out from under his responsibility as the minister. He's shelving it over to the federal government again and saying it's not within his authority. It is within his authority to come through with the regulation that would allow grandfathering of this.

I just want to close, because there are other speakers here this morning, and say how pleased I am that our member for Victoria-Haliburton has brought this resolution forward.

1130

**Mr Rosario Marchese (Fort York):** I take great pleasure in standing here today to speak in complete disagreement with the member from Haliburton, Mr Hodgson, and Mr Brown and Mr Jordan. I agree with Mr Jordan that what we need here is a commonsense approach to the issue. That is why the comments by Mr Malkowski, and mine, reflect a commonsense approach to this issue that I believe his constituents and their constituents agree with, except perhaps some of the hunters, or many of the hunters. But I agree on a commonsense approach to the issue.

Some have argued, and Mr Hodgson says, "Is it fair to bring them back to the classroom?" I say yes, and I believe a lot of Ontarians, when we're talking about safety, believe as well that they should be going back to the classroom, in the same way I would argue that from time to time we should make doctors go back to the classroom, that from time to time we should even make teachers go back to the classroom, even though they are in one. There is a continual need for renewal of one's knowledge around any issue, whatever the issue, on a regular basis.

Mr Hodgson is saying: "These people are good people.



They know how to shoot. They've been shooting animals for years. They're okay, so let's not put them back into the classroom, because they really don't need it."

I disagree with the statement. I'm not sure it's being disrespectful to them or to some of these other older hunters to require them to take a safety course. The issue of respect for these hunters or these older hunters I don't quite understand, nor do I accept it.

They argue as well that these people are not criminals. No one is making the case that they are. To say so would be a problem. No one has said that they are criminals or that we should be treating them like criminals. We're saying they should be taking the safety course. Even though they've taken a safety course 30 years ago, they should be taking it again. Why? We're talking about new national standards, not old standards but new ones. To require them to reacquire knowledge that I need to make me feel better about their knowledge of safety is not, in my view, a very restrictive or onerous obligation we're putting on those individuals.

Mr Brown speaks of it as if somehow—at least, I understood him later not to understand the case—we were restricting guns or gun control. That's certainly not the issue, as he knows full well, because later on towards the end of his speech he made it quite clear that we're talking about safety, about people's renewal of knowledge they need, as opposed to restricting guns or gun control. So he knows better.

He talks about this as if somehow we're creating a new club—interesting thought. We are not creating a new club, I don't think. What we are creating is a club of people who should be learning how to handle the guns, who should be knowledgeable about the new standards being proposed. I think that is a reasonable standard that most reasonable Ontarians, including the people who have spoken from their communities and others who are about to speak, will support.

Mr Brown talks about a fee of \$400. I certainly haven't seen any figure that speaks about a \$400 fee that would make it inaccessible to people to have to get into this new course or this testing. The figures I've seen is that it's anywhere from \$50 to \$100.

Is this an onerous obligation on these hunters? Does it really destroy the economy of the north or some other areas of agricultural country? I say no. On the basis of safety, on the basis of making me feel a little safer, I say they should be required to have no exemption from Bill C-17, from the knowledge requirements.

I say this is an issue of prevention. I say this is an issue where people need the comprehensive knowledge that is required to have safety understanding. It's an issue of safety, not shooting skills, that we are arguing here, and I believe reasonable Ontarians would not support the resolution Mr Hodgson has put forth today.

**Mr Frank Miclash (Kenora):** I would also like to congratulate the member for Victoria-Haliburton for bringing forth this resolution.

Just following up on what the previous speaker indicated, I consider myself a reasonable person from Ontario and I certainly support the resolution.

Mr Speaker, you've been around to see the great number of petitions that have indicated exactly what's in the member's resolution. Of course, those petitions are coming from a good number of my constituents as well.

I've always seen hunters in my area—I have some very close friends who are hunters—as being very safe and responsible owners in terms of the use of their firearms. As stated in the petitions, they are not the criminals we are worried about in terms of gun safety and the use of firearms. It's not their firearms that are involved in crimes; it's the smuggled, illegal firearms that find their way into the criminal acts and the crimes that are committed.

At this time, I would also like to indicate that I do have a little knowledge about the safety courses that are offered. I think of the Ontario Federation of Anglers and Hunters, of the Ministry of Natural Resources, and many dedicated people such as Harold Nickel from my riding, who has given this course to many of our first-time hunters, our young people, those people who require the course, especially those who are under 20 years of age. We know these efforts began back in 1957, and they've been very, very successful in terms of bringing 700,000 people into the sport of hunting on a very safe basis.

I would like to indicate again my very strong support for this resolution, and also the support of many of my colleagues from rural Ontario.

**Mr Allan K. McLean (Simcoe East):** I welcome the opportunity to rise in support of this resolution brought to our attention today by the newly elected member for Victoria-Haliburton, Mr Hodgson. I want to speak on it just briefly.

The debate that's gone on in this Legislature this morning really shows me how naïve some of the Metro members are with regard to rural Ontario. I cannot believe it. The problem we have here is that a lot of legislation is Metro-driven, Metro-oriented, and the rest of the province follows what goes on here.

This resolution notes that because "all first-time hunters since 1960 have successfully completed the hunter education course, which includes safe firearm handling procedures, the government of Ontario should automatically grant a firearms acquisition certificate to people who have successfully completed that course and to those who have demonstrated a solid safety record through many years of...experience."

I support this resolution for the following reasons: Hunters are safe and responsible owners and users of firearms; the current mandatory policy of the new federal firearms safety course requires hunters to be trained in handguns, which are weapons not used in the field by hunters; training now received by over 700,000 Ontario residents through the Ontario Federation of Anglers and Hunters and the Ministry of Natural Resources ensures the safe use of firearms by hunters; and additional government-approved training of prospective owners in the legal use of handguns is required prior to any government permission to purchase or otherwise legally acquire a handgun or other restricted firearms.

I will be supporting this resolution on behalf of all the

safe and responsible owners and users of firearms in the riding of Simcoe East, safe and responsible owners and users like James Gillespie of rural route 2, Orillia, who ran into the following difficulties when he tried to renew his firearm acquisition certificate. He wrote to me, and I just received it yesterday. He's a young individual who has been involved in the use of firearms since the age of six. He tried to renew his FAC, and he tells me it has been a real difficulty:

"The following is an account of how much time I have expended so far just to renew, starting from February 16 to date (May 1)," which is three days ago, "and I still do not have my FAC.

"On February 16, I went to the Orillia detachment to get my renewal in before it expired so it would only cost \$25 instead of \$50. I was then told I would have to be tested on my knowledge of firearms and their safety. Now the real adventure begins. First I had to contact the only approved firearms instructor in the Orillia area, Mr Ed Bagley. Mr Bagley told me he was trying to put together enough people so that he could cover the expense of the hall rental in order to give a test. He also indicated that he still didn't have the textbooks we needed to study for the exam. Later in February, the textbooks became available at a cost of \$12....Mr Bagley called and told me I would have an opportunity to take the test on March 12," which he finally ended up doing, and he passed the test, 100% written and 97% practical. 1140

"By the way, the test cost \$25," which is now \$50. "I also forgot to mention, the cost of the passport photos I had to supply for my renewal was approximately \$10.

"Everything was going good now and I thought I had bided my time and done everything I should. I made my renewal early so I only had to pay \$25, photos were \$10, textbook to study the new laws and safety procedures was \$25. Good thing I passed the test or I would lose all the money I spent so far and then would have to pay an additional \$50 for my new FAC. Also I would have to take a course that covers gun handling, safety, the new laws etc. I have heard these courses cost anywhere from \$45 to \$200, as well as resubmitted photos.

"Now it gets interesting. I took my test results to the Orillia detachment and thought in 28 days or less, the time specified for a renewal to be processed, I would have my new FAC. On Monday, March 14, the firearms officer, PC Langois of the Orillia detachment, called my home and told my wife that my signature on the application wasn't in the confines of space provided and probably wouldn't be accepted. I was asked to arrange to come in and sign again.

"Well, off I went the next day and signed another box and made sure I stayed within the boundaries. I waited until April 19. Seeing that I still didn't have my FAC, I called the Orillia detachment and asked to talk to PC Langois. Unfortunately, he also had other duties and it took a couple of days to see him. Mr Langois was very polite and as helpful as he could be. He said he checked the computer files and that my FAC had been approved and should be mailed in my hands soon. Well, just a little more patience was needed on my part.

"On Monday, April 25, I called my wife from work, who then told me PC Langois had called that day. He said I had to come to the OPP station and sign another time because my signature still did not meet the requirements.

"Well, folks, that's the last straw. I have called my MP and MPP and have decided enough is enough. I have spent enough time and money to renew my FAC. Can someone say when I may have my FAC, specifically...?"

This letter indicates the problem out there. Here is an individual who, with regard to hunting all his life, tries to renew his FAC. We want it grandfathered so he doesn't have to go through this mess, costing all this money. Federal legislation does permit provinces to implement grandfathering, and grandfathering was suggested to the chief provincial firearms officer for Ontario by the federation last year.

This is a true example of big government trying to tell the people in rural Ontario how they should operate.

**Mr Anthony Perruzza (Downsview):** Bang, bang, you're dead. That's what this is about.

There's only one purpose to guns. The last time I checked, a gun fires a projectile and it's intended to either shatter something or kill something. Whether you're killing a duck, a rabbit, a moose, a deer, a groundhog or a person, a gun has only one purpose and that purpose is to kill.

People are dying out there. We have a resolution in front of us here today brought in by a member who was elected only a few short weeks ago. What does he do as the first order of business? He negotiates with his Conservative leader to get a time slot to introduce a resolution into this place that says—

**Mr Jordan:** A point of order, Mr Speaker: This member is way off topic and being unnecessarily critical of a new member.

**The Acting Speaker:** Thank you. The member for Downsview.

**Mr Perruzza:** He introduces a resolution that says, "Give all of these guys, automatically, through the mail—send them a gun. Give them a gun, and while you're at it, why don't you load it as well? Well, you know, if you took a course 30 years ago, you're still the same person. So we're going to arm you, we're going to load you up, we're going to give you some bullets and you're okay: You get out there and you use that gun for what it was intended to do."

*Interjections.*

**The Acting Speaker:** Order.

**Mr Perruzza:** There are 675,000 hunters in Ontario. Automatically, give them a gun. There are roughly 400,000 other people who have owned guns, so you would presume that you automatically give them a gun and give them some bullets as well. That is absolutely such an irrational and such an absurd thing to do given the number of guns that are out there on the street. I say to you again: There is only one purpose for guns and no other purpose, and that purpose is to kill. There's only one purpose to guns unless you sit there and you shoot at a tree, and that purpose is to kill.



That is so absolutely an irrational thing. Bang, bang, you're dead.

**Mr Sean G. Conway (Renfrew North):** I want to rise to support this resolution, and I do so as a member representing a large part of rural eastern Ontario. Time does not permit me to take issue with some of the comments that the previous speaker made, but I do agree with whoever said earlier that a lot of this debate ignores the reality of life in rural communities.

I represent Renfrew county. Monday night I was at one of our outdoor's sportsmen's clubs. I was meeting with a group of farmers on the weekend. It must be said that if you live in communities like Pembroke or Eganville or Moose Creek or if you go, for example, to any of these rural high schools during hunting season, you will find—and the member for Cochrane South will know this—a goodly number of young boys and girls aged 16, 17 and 18 who are taking time off school to go hunting because that is part of the rhythm of rural life.

I have been standing and will continue to stand in my place and argue that we must, as a provincial government, join local and national governments to do more to deal with violence and crime in our streets, in our big and small towns. But we must, I think, understand that good public policy has to address the problem that's out there. We don't want to drop a net into the water and catch all of the wrong fish.

I support the member for Victoria-Haliburton in this resolution because I think the proposal is a sensible one in so far as the community that I represent. It has to be said that in fact all we are asking for in this resolution is simply this: People, many of them older people—I have been approached in the last few weeks by 60-, 65-, 70-year-old constituents who have taken a government-approved hunter safety and gun safety course. They have hunted safely without incident for 30, 40, and 50 years in some cases. They have had a sterling record in terms of safety. They say to me, "Why now am I being asked to spend at least \$200?" I say to the member for Fort York.

I met the other day with a couple of the instructors and they have told me that in Renfrew county, the minimal cost of this requirement is going to be at least \$200, and probably more. My friend waves his hand in disbelief. This is what I'm being told by instructors who are offering the course, and I believe them.

The point I want to make is that we ask only this: that people who have had a good record, people, many of them senior citizens, who have hunted for decades very well and very safely, I say to my friend from Orono, not be singled out for a substantial new requirement, unwarranted on the basis of their proven track record and unwarranted on cost grounds.

1150

Let me say again that the Liberal Party has said, my leader has said, I have repeated that we have to do more in so far as crime is concerned. I support a number of initiatives. I'd like to see tougher sentencing. We'd like to see changes to the Young Offenders Act. We'd like to see an end to plea bargaining. We would like to see a number of other initiatives in the area, for example, of

tighter controls around the retail of ammunition.

Let me say, as well, that I have not always agreed with the Ontario Federation of Anglers and Hunters, but on this request it is right. On this request I support them, as I support the member who brought forward this resolution, because what we must all do as legislators is we must understand that as we move forward together to sensibly address the concern that's out there about safety and security in all our communities, we must focus our efforts on the problem and we must not alienate a lot of good, law-abiding citizens who feel that they are being unfairly targeted, a lot of good, law-abiding citizens who feel that however good the intentions, they, the good people, are being singled out by wrongheaded policy.

I want to say, on behalf of the thousands of rural constituents I am proud to represent, that they have a right to be considered as we move forward in this area. I join my colleagues from Northumberland and from Kenora and from Brant and from Manitoulin and from Bruce who have said in this debate that this is a sensible request to be made of government, that we want to get at the criminal element with a number of initiatives that I have articulated earlier.

But we do not want to unfairly and unreasonably single out all of those good hunters and good farmers who over the years and over the decades, having taken an Ontario government hunter safety and gun safety course, having passed that, having paid for that, having had a good record, those people have a reasonable right to be grandfathered as this resolution calls for.

**Mr Bill Murdoch (Grey-Owen Sound):** I'm very pleased to have been granted the opportunity to speak in support of the commonsense resolution brought forward by our member for Victoria-Haliburton. The issue of grandfathering firearms acquisition certificates is of great concern to anglers and hunters across Ontario, including those who live in my riding of Grey-Owen Sound.

My offices are inundated with letters and petitions from constituents who object to the government's decision on the FAC course and examination and who support the idea of grandfathering those who have already taken safety courses or hunted responsibly for years—people like the Grey-Bruce Travellers Council, the Artemesia Predator Controllers, the East Grey Hunters' Association, the Sydenham Sportsmen's Association, the South Grey Hunters' Association, the Bruce Peninsula Sportsmen's Association, the Grey-Bruce Rod and Gun Club, the Blue Ridge Sportsmen's Club and the Western Ontario Fox Hunters' Association.

These are organizations in my riding composed of responsible owners and users of firearms. These people are not unsafe and they are not criminals.

The Ontario Federation of Anglers and Hunters sent an interesting letter and corresponding fact sheet to my office on May 2. I would like to share some of these facts and statistics with the House.

Training for hunters began in 1957. In 1960, the hunter safety training education course became mandatory for all new hunters under the age of 20. Since 1960, over 700,000 people have successfully completed this course

and passed the corresponding exam. On an annual basis, volunteer instructors educate and test between 20,000 and 35,000 prospective hunters. There were 154 accidents with 36 fatalities in 1960 but since then, with more safety training, fatalities and injuries caused by firearms have fallen more than 80%. Today, firearms owners possess \$2 million in public liability insurance as part of their membership in the Ontario Federation of Anglers and Hunters, an organization which prides itself on the promotion of safety and conservation.

The OFAH and its members take safety-related issues very seriously. These are not people we need to fear. The hunters in my riding have compelled me to support this resolution. Saskatchewan already has done this. In light of these facts and based on the requests from my constituents, I see no reason why Ontario should not follow suit. As a result, on behalf of the many sportsmen's associations and hunters and farmers in my area, I intend to support this resolution, and congratulate my colleague.

**Mr Stephen Owens (Scarborough Centre):** I want to make a couple of quick points. In terms of the view of the general public as well as people involved in public safety and public health who are in favour of tougher gun control in whatever form it comes, this resolution is not consistent with the opinion that is there. The decision not to grandfather is clearly consistent with the government's view that we need to have tough and national standards with regard to firearms purchase and storage.

In terms of our government, the Ministry of the Solicitor General, through the provincial firearms office, has been working quite closely with stakeholders in the communities to ensure that a regulation is drafted that is consistent with both our needs and theirs.

**The Acting Speaker:** This completes the time allotted to the government bench. The member for Wellington.

**Mr Ted Arnott (Wellington):** I'm very pleased to rise and indicate that I intend to support the member for Victoria-Haliburton, who has been here for less than two months and has brought forward a very, very important resolution with respect to his riding in Victoria-Haliburton, with respect to all of rural Ontario. We see another case where a policy written in urban Ontario does not fit in rural Ontario. Without question, the individuals who have demonstrated safety—I'm talking about farmers, I'm talking about hunters in Wellington county—shouldn't have to go through another safety training course.

I hope that all members of the House will give favourable consideration to this commonsense resolution put forward today. I want to commend once again our new member for Victoria-Haliburton for bringing it forward.

**The Acting Speaker:** This completes the time allotted. The honourable member for Victoria-Haliburton has some time in which he may want to sum up.

**Mr Hodgson:** I'd like to thank all the members who participated in this debate this morning, in particular the member for Lanark-Renfrew, Mr Jordan, the member for Simcoe East, Mr McLean, the member for Grey-Owen Sound, Mr Murdoch, the member for Wellington, Mr Arnott, also the member for Algoma-Manitoulin, Mr

Brown, the member from Kenora, Mr Miclash, and the member from Renfrew North, Mr Conway.

I would like to point out and just use an analogy. It's obvious to me that there are some members on the government side who reside in Metro ridings, and I think I made it very clear that we're not disagreeing with the safe use of firearms or the punishment of criminals or those who misuse firearms. What we are talking about is some common sense.

If I can be permitted to use an analogy, we have a problem with automobile safety in this province, and a number of years ago we recognized that we needed seatbelts and we made it so it's mandatory for seatbelts. We grandfathered that into the new driver safety tests for this province. We made it so that new drivers coming on stream had to have a course that taught them how to use the new rules and regulations. Older drivers who demonstrated a safe driving record weren't forced back into the classroom right across Ontario, and similarly with gun ownership.

We have farmers and hunters who have hunted for generations. It's part of the rural lifestyle that's been mentioned here, and it's unfair to force them back in on their time and their money to take a course, which we don't do in any other field of safety in this province. We grandfather it in. If the member from Downsview's residents had to go back and all take a driving course because there have been accidents with automobiles and improvements to technology to buy a new car, he'd be the first one to scream. It's the same in rural Ontario. We're talking about our lifestyle.

**The Acting Speaker:** This completes the time allotted for ballot item number 54.

#### LOAN BROKERS ACT, 1994

#### LOI DE 1994 SUR LES COURTIER EN PRÊTS

**The Acting Speaker (Mr Noble Villeneuve):** We will now revert back to ballot item number 53, second reading of Bill 152, An Act to prohibit certain types of payments to Loan Brokers.

If any members are opposed to a vote on this motion, please rise. Seeing none, is it the pleasure of the House that Mr Phillips's motion carry? Carried.

The member for Scarborough-Agincourt.

**Mr Gerry Phillips (Scarborough-Agincourt):** Refer this to the finance and economics committee.

**The Acting Speaker:** We will be looking for a majority or a consensus.

All those in favour of the finance committee, please rise.

All those opposed, please rise.

The majority is not in favour. Therefore, the motion will be referred to committee of the whole.

#### FIREARMS SAFETY

**The Acting Speaker (Mr Noble Villeneuve):** We will now deal with ballot item number 54, in the name of Mr Hodgson. Is it the pleasure of the House that the motion carry?

All those in favour of Mr Hodgson's motion, please say "aye."



All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members; a five-minute bell.

*The division bells rang from 1202 to 1207.*

**The Acting Speaker:** All those in favour of Mr Hodgson's motion, please rise and remain standing until named by the clerk.

#### Ayes

Arnott, Beer, Bisson, Brown, Callahan, Cleary, Conway, Cousens, Cunningham, Daigeler, Duignan, Eddy, Elston, Fawcett, Grandmaître, Hansen, Hodgson, Jackson, Johnson (Don Mills), Johnson (Prince-Edward, Lennox, South Hastings), Jordan, Klopp, Kormos, Marland, McLean, Miclash, Morrow, Murdoch (Grey-Owen Sound), Murphy, O'Connor, Offer, O'Neil (Quinte), Phillips (Scarborough-Agincourt), Pilkey, Runciman, Sola, Sterling, Stockwell, Turnbull, Waters, White, Wilson (Frontenac-Addington), Wilson (Simcoe West), Wiseman, Wood.

**The Acting Speaker:** All those opposed to Mr Hodgson's motion, please rise and remain standing until named by the clerk.

#### Nays

Akande, Boyd, Carter, Charlton, Christopherson, Cooper, Coppen, Dadamo, Fletcher, Gigantes, Grier, Haeck, Harrington, Haslam, Hope, Lessard, Mackenzie, MacKinnon, Malkowski, Marchese, Martin, Mathysen, Murdock (Sudbury), Owens, Perruzza, Philip (Etobicoke-Rexdale), Pouliot, Sutherland, Ward, Wessenger.

**The Acting Speaker:** The ayes are 45; the nays are 30. I declare the motion carried.

It now being past 12 of the clock, this House stands adjourned until 1:30 pm.

*The House recessed from 1211 to 1330.*

#### MEMBERS' STATEMENTS

##### TRANSFER PAYMENTS TO MUNICIPALITIES

**Mr John C. Cleary (Cornwall):** Last Friday, Ontario's municipalities were informed by the Ministry of Transportation that road subsidies were flat-lined for the year 1994. Rumours have been circulating since then that the minister is playing a shell game with road subsidies.

Yesterday I learned from the engineer of the united counties of Stormont, Dundas and Glengarry that subsidies for upper-tier municipalities have in fact declined by 6%. In SD&G, for example, funding has been cut by 10.68% from last year. In Leeds-Grenville, municipal officials will grapple with an 8.5% reduction in subsidies, and in Frontenac county a 10.5% cutback.

The people of Ontario deserve well-maintained roads. Construction will create the needed jobs. I've heard complaints about the potholes and ridges on Highway 401 in the Long Sault area and on Highway 2 in my riding.

This year's funding is not the first time that the united counties have received reduced funding for roads. In SD&G they've lost more than \$1.5 million of their budget over the past three years of the NDP's government mandate.

The township of Lancaster showed its dissatisfaction

with funding levels by passing a resolution which reads, in part, "The council of the township of Lancaster hereby wishes to record its total disbelief and disgust with the manner in which the present government of Ontario has been treating local municipalities in the past few years."

This government not only is incapable of managing its own finances but is creating havoc at the municipal level as well.

#### GEORGIAN BAY '94 MARINE HERITAGE FESTIVAL

**Mr Allan K. McLean (Simcoe East):** This summer the residents of Penetanguishene and Midland will showcase their communities and put Georgian Bay on the international map. The kickoff is on May 18 and 19.

Visitors to the Georgian Bay '94 Marine Heritage Festival can attend more than 40 events celebrating Georgian Bay's extremely rich marine heritage and be treated to our unique small-town hospitality.

On July 23 and 24, the Georgian Bay Powerboat Grand Prix will roar into Penetanguishene Bay to thrill spectators with the power and excitement of 130-mile-per-hour boats. More than 16 tall ships and a dozen other historic and modern boats will participate in a Parade of Sail into Midland Bay on July 29.

These ships will be open daily to the public from July 29 to August 2 at the Midland town dock, the Penetanguishene town dock and Discovery Harbour, formerly known as the Historic Naval and Military Establishments. More than 400 performers will take part in military reenactments and musical entertainment, to be capped by a magnificent fireworks display.

More than 250 young people from more than 10 countries will compete in Atlantic Challenge '94 from August 2 to 10. They will participate in a cultural exchange and compete in rowing, sailing and seamanship events.

Come and welcome our international guests from Russia, France, Denmark, the United States, the United Kingdom, Norway, Ireland and Canada at the Discovery Harbour's international village. Come and be piped aboard as history is made at Georgian Bay '94 Marine Heritage Festival.

#### NATIONAL GARDEN MONTH

**Ms Margaret H. Harrington (Niagara Falls):** The month of May is designated as National Garden Month. It is a time when, after a long winter, we appreciate certainly the beauty of the natural world.

I want to invite everyone to the beautiful gardens of Niagara. Drive the Niagara Parkway from Niagara-on-the-Lake to Queenston and on to Queen Victoria Park. Don't forget to stop at my favourite spot, which is the horticultural school. Come and enjoy spring and also Mother's Day this weekend. I want to remind everyone that the blossoms of the fruit trees are opening now and the Blossom Festival Parade is in Niagara Falls on Saturday, May 14.

More and more Ontarians are discovering the joy of a beautiful garden. Ontario's nursery and turf industries contribute \$174 million in farm-gate sales. Plants are certainly an economic benefit to Ontario and a flourishing

business across the Niagara Peninsula, as my colleague from Lincoln will attest. Nursery plants also provide beauty, improve our air and water quality and probably help our state of mind. That's why I brought these into the Legislature.

During National Garden Month, I encourage all members and their constituents to support Ontario's nursery and landscape businesses by buying and growing Ontario nursery products.

#### ENVIRONMENTAL POSTER CONTEST

**Mr Charles Beer (York-Mackenzie):** Last month, grade 3 students in the township of King at three schools prepared posters to set out why they were so opposed to the government's policy of building a huge megadump near King City and near Maple.

There were three winners selected in the poster contest. Those posters were then put on to T-shirts, one of which I'm wearing and two of which I'm going to hold up. I want to commend the young students in grade 3, and there was tremendous participation from all of the schools. The pink shirt that I'm wearing, which says "Be A Litter Quitter," was done by Margaret Misiak of Holy Name School. This green shirt, which was done by Alexandra Begg of Country Day School, says, "Save Our Earth/Save King." Finally, there is Mikki Hoteri from the Eva L. Dennis School, whose T-shirt says, "No Dump."

I think what was clear from all of the students who participated in this was that they wanted to send a very clear message to the Minister of Environment and Energy, to the Premier and to the former Minister of the Environment that going about our waste disposal by creating yet another megadump near Maple and near King City was not going to resolve the problem. I told them that I would help in taking their message directly to the government and directly to the Minister of Environment and Energy: Minister, eliminate the IWA. Let's get rid of that old, funny Bill 143.

#### ALGONQUIN COLLEGE

**Mr Leo Jordan (Lanark-Renfrew):** This statement is for the Minister of Education and Training.

Algonquin College is planning to move a job training school from Renfrew to Pembroke. I would like to inform the minister that withdrawing these facilities will seriously impair Renfrew's ability to create and sustain jobs. I quote the mayor of Renfrew, Howard Haramis, who wrote to me and said this move "will definitely place the identity of the skills centre in jeopardy. It will be a great loss for Renfrew."

Renfrew's corporate citizens have devoted a tremendous amount of time and energy, in cooperation with educators, to training people with the skills they need to be viable in the local economy. I cite as an example Times Fiber Canada Ltd of Renfrew, who are gearing up to expand their operation and workforce. I quote from a letter by Mr Hugh Edwards, general manager: "We wish to most emphatically voice our strong objections to their seemingly firmed-up" but unfounded "plans to move out.... How can they simply remove a facility that is top-notch and which has developed in conjunction with the town of Renfrew?"

Algonquin College is spending \$600,000 on this move. I implore the minister to direct the college to use common sense. Save the expenditure on bricks and mortar and use it for teachers and classrooms in the existing facilities in Renfrew.

1340

#### CANCER TREATMENT

**Mr Gordon Mills (Durham East):** Last Saturday afternoon, I sat at a table in the Oshawa Mall along with volunteers who form the Cancer Centre for Oshawa team. We were speaking to people who came to the table to sign a card urging the Minister of Health to support full radiation therapy at Oshawa General Hospital.

We were joined there by one Philip McCorkell, a member of Rebounders of Canada. This organization's membership comprises children who have survived cancer against all odds. The presence of Philip at the table that Saturday gave all of us a lift in our efforts.

This year's drive for support follows on the heels of last year's drive when 15,000 people signed the petition that I presented to the Legislature. During April, Cancer Month, the table in the Oshawa Mall has been attended each Saturday from 9:30 am to 6 pm. Over 4,000 people have indicated their desire to see radiation therapy at the Oshawa General Hospital. They all said, and I echo their words, "We need it now."

I stand in my place today to salute the members of the Citizens for a Cancer Centre and to all those—the CAW, local business, the Oshawa Shopping Centre owners, the press, radio, television stations and many unnamed volunteers—who gave freely of their time, their talent, their money to bring to the front our community's need for radiation therapy now.

I hope the Minister of Health somewhere—she's not in the House—is watching and listening.

#### HEALTH CARDS

**Mrs Elinor Caplan (Orillia):** The Tory Health critic sanctimoniously talks about Liberal health card fraud. Well, I have some factual information for him.

Twenty-six million, that's the number of OHIP cards that were floating around in Tory Ontario in 1985; 26 million at a time when the population of Ontario was 9.5 million. Yet today's Progressive Conservative Party seems to have a case of amnesia about those old Tory days. They accuse the Liberals of giving out too many cards. In 1990 the Liberal government had actually decreased the number of health cards by 14.5 million to clean up Tory mismanagement. The Tories refer to fraud in the health card system under the Liberals but want us, the people of Ontario, to forget the runaway fraud during those 42 years under the Tories. There were no procedures, no accountability in place to track fraud, so they could not even have known about it or done anything about it.

Last year Tory leader Mike Harris stated that he had leaked a government document stating that the health fraud in Ontario amounted to \$1.2 billion a year. When his research staff finally got around to checking their figures, they discovered that he'd made a half-billion-dollar, a \$500-million, mistake.



The Tories have continued to claim that millions of dollars of health fraud exists; just don't ask them where their numbers come from.

**Mr Charles Harnick (Willowdale):** Why are they changing those red-and-white cards?

**The Speaker (Hon David Warner):** Order. The member for Willowdale, please come to order.

**Mrs Caplan:** All they're doing is engaging in a alarming rhetoric: 26 million cards, no accountability. That's the Tory legacy, and no one in the province of Ontario will forget.

#### SENIOR CITIZENS' HOUSING

**Mr Cameron Jackson (Burlington South):** Yesterday Conservative leader Mike Harris announced our party's Common Sense Revolution to address the economic challenges for our party and our province. Included are several announcements to protect quality living standards for Ontario seniors. However, since 1990 the NDP government has been imposing a series of revolutionary cuts to services for seniors.

On March 15 of this year, the Housing ministry announced it will encourage providers of seniors' housing to rent to non-seniors in cases where there are ongoing vacancies. This disturbing directive strongly suggests the NDP will no longer ensure that the current stock of non-profit seniors' housing will continue to be age-specific.

The Housing minister should be aware that age-specific housing provides an important social network for seniors. This affords the needed supportive and reassuring environment for seniors, the majority of whom prefer it over age-integrated housing. Studies also demonstrate that age-integrated housing has a negative impact on the general health and wellbeing of seniors.

The number of seniors and their housing needs continue to rise. Halton region has 394 seniors on a housing waiting list, with 170 seniors in Burlington alone, but in March a total of only five seniors found accommodation.

This is yet another NDP slight against seniors that decreases the current base of seniors' housing in the face of rising demand. It is also a blatant contradiction of the thrust of long-term care reform. The minister must review her policy to protect age-specific housing for Ontario's aging population which ensures the kind of care that seniors need and so richly deserve in Ontario.

#### NEWSPAPER CARTOON

**Ms Sharon Murdock (Sudbury):** Today in a Toronto tabloid there was an editorial cartoon that in this month of sexual assault awareness is absolutely reprehensible and the lowest form of journalism.

If Mr Donato's intent was to spur conversation, then he's certainly succeeded. However, I am not giving him credit for having that much subtlety or foresight. As far as I am concerned, the type of cartoon that was shown today goes beyond anything in terms of good taste. Even the politically incorrect of this province would find it unacceptable.

I point out that when I was in law school and took a course called Women and the Law, one of the sections was on sexual assault, and I was astounded to learn that

the youngest person ever to be sexually assaulted was two months old and the oldest was 93. So the implication of this cartoon, that sexual assault is due to appearances or dress or any other kind of thing, is totally reprehensible and it should be reported immediately to the press council. I am going to move in that direction.

#### ORAL QUESTIONS

##### JOB CREATION

**Mrs Lyn McLeod (Leader of the Opposition):** My first question the day before our budget is to be presented is to the Minister of Finance.

Minister, tomorrow you and your government will be presenting your fourth budget. I remember that before your first budget, you said that your priority was jobs; I remember that before your second budget, you said that your priority was jobs; and before your third budget, you said your priority was jobs. And now this year again, you are saying your top priority is jobs.

So the day before the budget is presented, I ask the Finance minister to look at the record. There are 235,000 fewer jobs in Ontario than when you took office. Over the past year alone, we have seen 4,000 fewer jobs in the first quarter of this year than in the first quarter of 1993. With jobs as your supposed top priority year after year after year, there are still 580,000 Ontarians out of work. Clearly, in each of the past three budgets you have failed to meet your top priority of putting people back to work.

Minister, what will your target for jobs be in tomorrow's budget? Will we still be looking at unemployment levels of 9% and 10%, which is a completely unacceptable target?

**Hon Floyd Laughren (Minister of Finance):** I would say to the leader of the official opposition that last year, the province—and I'm not standing up here, representing the government and saying we take credit for everything that's good that happens, any more than you would blame us for everything bad that happens, I'm sure—but simply to say that in 1993, there were about 80,000 jobs created as we pulled out of the recession.

Now, there was a disturbing blip on the scope in January 1994, but since then there has been positive job creation. We believe that is going to continue this year, and independent, objective observers of the economic scene are saying the same thing. As a matter of fact, virtually everyone out there is now on the recovery bandwagon, so why don't you pull out of your depression tailspin and get on the bandwagon with everybody else?

**Mrs McLeod:** My answer to the minister's answer to my question is that we are very much concerned that tomorrow's budget will not take the necessary steps to really get this economy going again, to get people back to work, to build on that recovery that is beginning and that we all want to see strengthened. That's what we're looking for from the Treasurer and the government when they present their budget tomorrow.

We're concerned that tomorrow's budget will simply continue the legacy of financial mismanagement that this province has seen for three and a half years—three and a half years that have completely destroyed confidence in this province's economy.

The evidence of that is the fact that this government's mismanagement has resulted in our credit rating being downgraded from AAA to AA-, which has cost the taxpayers of this province billions in higher interest. In tomorrow's budget we are likely to see that the interest we pay on our debt is now equal to the deficit.

Minister, can you assure the people of Ontario that tomorrow's budget will not further erode confidence in the economy of this province and in the financial management of this province and will not lead to another credit downrating?

1350

**Hon Mr Laughren:** If I could pick up where the leader of the official opposition left off, yes, I can assure the leader of the official opposition that the budget tomorrow will, I believe, instil a great degree of confidence in the economy of this province as a place to invest, a place to work.

It seems to me that to receive a lecture from the Liberal Party of Ontario on managing the economy is completely beyond the pale. I would remind you of what your government, of which you were a cabinet minister, did in the best of possible times. In the best of possible times, you raised taxes and you increased the deficit by 33%, in a boom period. That's what you did. You left us a mess and we had to straighten it out. We had the courage to tackle that problem, which you never did. So you don't need to come on to me with your sanctimony about how to manage the economy, because you folks never learned how in the first place.

**Mrs McLeod:** I will confess very frankly that I rather liked being in a position where we had an AAA credit rating year after year. I rather liked the fact that the Provincial Auditor gave our books an unqualified approval rather than the qualified approval this government got for the first time in this province's history. No wonder we have become concerned about this government's legacy of financial mismanagement.

Mr Speaker, surely you can understand how concerned we all are when we hear the Premier of this province saying that tomorrow's budget will keep Ontario on track. I don't think anybody wants Ontario to stay on the kind of track we have been on for the last three and a half years, a track where we have 10% unemployment, a track where there are 580,000 people out of work. It's a track where our interest payments are now equal to the size of our deficit, which has skyrocketed in three and a half years. It's a track on which we are likely to see continuing erosion of confidence in this province's economy.

Minister, is this the kind of track you and your government and your Premier want to keep Ontario on?

**Hon Mr Laughren:** I would say that what the Premier is referring to, I suspect, when he talks about staying on track is that we continue to put the emphasis on supporting and creating jobs in this province, secondly, that we continue to keep the deficit going down, and thirdly, that we promise to maintain the essential services of the province. That is what we mean by staying on track and we will do that. The budget will show that to you tomorrow.

Secondly, it doesn't take a modicum of good government to solve all the problems that come to government by simply throwing money at it in good times. That's exactly what the Liberals did. You should take no credit whatsoever for having an AAA credit rating when the money was flowing in and you increased the deficit by 33% in five years. Don't give me any lecture, because all you did when you found a problem was simply throw money at it. What we've done is tackle the difficult problems. We've had the courage to do that; you never did.

**The Speaker (Hon David Warner):** New question.

**Mrs McLeod:** I certainly hope that the government's track record in meeting its targets is infinitely better after budget number four than it has been after the first three.

#### PUBLIC SAFETY

**Mrs Lyn McLeod (Leader of the Opposition):** My second question will be to the Solicitor General. It is now a month since I asked for the government to refer the issue of crime to the justice committee on an urgent basis. I did it because we believed and we continue to believe that urgent action is required. We believed that we all needed to focus our attention on this issue. We believed that government had to and has to address the growing fear and concern that exists among the public. Unfortunately, the government seems to think this is some kind of political game we're playing.

I was shocked to hear again yesterday that the Attorney General would not answer questions and referred them for some inexplicable reason to the House leader, who clearly has no direct responsibility for taking action on these issues. But the House leader did tell us that the Attorney General and the Solicitor General would be making statements regarding government initiatives to respond to violent crime.

Solicitor General, as a minister who does have direct responsibility in this area, I ask you today if you will tell us what those initiatives might be and will we see the initiatives that you are apparently addressing in tomorrow's budget?

**Hon David Christopherson (Solicitor General):** Let me answer the last question first. With regard to what's in the budget, you were talking to the right minister the first time around. I'm not in a position to comment on that at all.

With regard to the process of the discussion with the House leaders, I continue to be absolutely amazed at the ability of the Liberals—and the Tories; although they haven't been doing it of late, they started it—in pushing and pulling on this issue at the same time. On the one hand, they continue having the discussions, saying they're interested in seeing some conclusion to the deliberations and have some agreement, and on the other hand, they keep popping up in the House and asking, "Why isn't this thing resolved?"

It's an equal partnership. That was how they requested that. The three parties were to sit down and see if we could agree on an agenda. We said at the time, "That's unusual, we don't normally do business that way, but listen, if we can approach this issue in that way, yes, we



think that would be an appropriate way to respond to this particular issue," and that's what we've been endeavouring to do. Any suggestion on the part of the opposition members that the fact that we haven't reached a conclusion is part of a concerted effort on the part of the government is absolutely, in my opinion, misrepresenting what is happening.

I believe all three parties and all three House leaders are sitting together trying to find a common agenda that they can agree on, and if they don't, then we will of course assume our responsibilities as the government and continue to address the issue of violent crime in our society.

**Mrs McLeod:** We have been urging this government for a month now to take action. That's why we wanted the committee to meet, so we could talk about taking action on an urgent basis.

Yesterday, the House leader at least said that somebody was working on government initiatives and that there would soon be announcements. We simply wonder, if the government has initiatives, what it's waiting for. Everybody is waiting for this government to take some action.

Yesterday, we couldn't get an answer from the Attorney General on the concerns we had about increasing problems of youth gangs. A recent federal report showed that violent offence charges for young people between the ages of 12 and 17 increased by over 100% between 1986 and 1991. The report shows that the presence of guns is becoming widespread in our schools and that extortion and drug-dealing are becoming a routine part of the school day in a number of communities.

Yesterday, we simply wanted to know whether, in the face of the evidence of this report and the stories that we hear on our daily newscasts, this government had any strategy to deal with the overall problem of youth crime.

Can I ask the minister, is this one of the initiatives he's working on, is it one of the announcements that the House leader was alluding to yesterday and can we expect to see some news of this in tomorrow's budget?

**Hon Mr Christopherson:** Let me also refer to something that our government House leader said yesterday in the time spent during the late show, and that was that last year, long before the Liberals decided this issue was the flavour of the month—to their credit, at least the Tories have been talking about this consistently for some time. You very much got here after it started to become headlines.

My ministry and this government have been working on this issue and these types of issues since we came to power. Last year, my ministry initiated the public safety and violent crime project wherein we identified a number of critical police standards that we would be developing within a two-year time frame that respond to a whole host of issues, including the Yeo recommendations, the Stephenson recommendations, other inquest recommendations and, yes, also youth crime and youth gangs. We're on track with those standards. In terms of announcements, I've already announced, earlier this year, two of the standards that are out there. I intend to continue to

announce those standards as we develop them.

Regardless of what other kinds of shenanigans continue to take place around that legislative committee, this government remains committed to dealing with the issue of violent crime in our society and we will not waiver from that course.

**Mrs McLeod:** We have been committed since we were in government and we continue to be committed to important issues like community policing, and that is one of the issues this government refuses to even talk about in committee, which is why we have had a month of stalling on being able to even discuss the issues that matter in committee.

I am personally committed and deeply concerned on issues related to violence against women and children. Over and over in this House, we have raised our concerns and urged action to deal with anything which contributes to violence against women and children. I resent the suggestions of this minister that this caucus and this leader have not been raising these issues over and over again and are more than justified in demanding action from this government.

1400

We have also raised another issue which is an important part of the underlying causes of unrest and indeed of violence. Yesterday my colleague the member for Renfrew North reminded this House that today is the second anniversary of the riots on Yonge Street. The Premier's response at the time of that occurrence was to recognize that indeed the high levels of unemployment among our young people contributed to the unrest we saw in the streets that summer.

He committed to implementing a comprehensive strategy to deal with the root causes of youth unemployment, but all we see today is continuing high levels of unemployment among young people. The reported level of unemployment was 19% in 1992. It's still 19% in 1994. We believe the real number is closer to 30%. We saw no action in last year's budget to deal with youth unemployment. There has been no indication that you are—

**The Speaker (Hon David Warner):** Could the leader place a question, please.

**Mrs McLeod:** —prepared to do anything for youth unemployment as we approach a summer of even higher unemployment. Can we expect to see anything in this budget which even begins to address the tragedy of youth unemployment?

**Hon Mr Christopherson:** I again advise that the Minister of Finance is the only person capable of responding to issues around the budget as we approach budget day. But let me say very directly to the issues, because I don't for a minute suggest that the honourable member doesn't care about the issues, that what I was making the point on was that it suddenly became the lead question for you and you suddenly started demanding well after there were headlines, not beforehand, and I was pointing out that we've been on top of this issue since we came into government.

With regard to youth employment, the parliamentary

assistant to the Premier has been working almost exclusively on that issue and has been finding, I think, a number of results we can point to that are very positive in that area. Recently, the Minister of Education and Training announced that there was a new program, or adding an enhancement to a program, that would again deal with the issue of youth employment, and we continue to consider all issues of employment to be a priority of the government.

With regard to the Lewis initiatives, let me say that as it pertains to my ministry a number of the key recommendations, the big-picture stuff, are under way. The use-of-force regulations are in place.

**The Speaker:** Could the minister conclude his response, please.

**Hon Mr Christopherson:** They're now part of the law, and the first year of those training regulations being in effect will conclude in June and we expect to be on target with everyone having gone through it. The Race Relations and Policing Monitoring Audit Board: We have the chair-designate working on that. In the next few months, we should have that up and running. The list goes on and on and on. No government in the history of Ontario—

**The Speaker:** Could the minister please conclude his response.

**Hon Mr Christopherson:** —has dealt with the issues of race relations, of youth employment and concerns for youth in major urban areas than this government, and we're prepared to—

**The Speaker:** The question has been answered.  
CORPORATION FILING PROGRAM

**Mr Ernie L. Eves (Parry Sound):** I have a question of the Minister of Consumer and Commercial Relations. Minister, I have a copy of a memo from your ministry to Ready Mold Designs Inc of London, dated April 25 of this year. This memo notifies Ready Mold that they will be dissolved as of June 11, 1994, if they don't pay your corporate filing fee. This is in spite of the fact that you told this Legislature last October 26, "Nobody is taking away their status."

Minister, beginning June 11 of this year, do you really intend to dissolve tens of thousands of corporations in this province that haven't paid—

**Hon Floyd Laughren (Deputy Premier and Minister of Finance):** Tens of thousands?

**Mr Eves:** Yes, tens of thousands—your government's annual filing fee?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** Since we began sending letters out—I think about 30,000 have gone out and possibly more to follow—to remind people, we have really gone out of our way to give people information and to remind people that they have to pay this fee and update their files. It's a \$50 charge. It makes sure that the records are kept up to date.

What we have found in sending these letters out and asking people to comply—in fact, it's proven what we already thought, that there are an awful lot of companies

out there that are no longer functioning, and that's one of the problems we have in keeping the public record up to date. We certainly don't want to dissolve any companies, and we are going out of our way to inform them that they need to pay that fee and that they need to keep their records up to date.

**Mr Eves:** Our staff called the ministry's so-called help line this morning, and after being put on hold for half an hour, we were informed that not only businesses but charitable and non-profit corporations that have not paid this ridiculous annual fee will also be dissolved: non-profit organizations like Big Sisters of Newcastle, Oshawa and Whitby, Capability Services Enterprises for the Physically Handicapped, the Elizabeth Fry House, the Greater Toronto Chinese Christian Churches Council, the Lake St Peter Native Alliance, the Lions Club of Malton Airport, People Helping People Inc, the Rotary Club of Windsor Foundation Fund, Simcoe Alcohol and Drug Education Services, Westwood Pre-School Centre.

Minister, are you and the Treasurer so desperate for cash that you intend to dissolve these worthwhile organizations and thousands others like them just to get the money in your pocket?

**Hon Ms Churley:** The member still doesn't get the point.

**Mr Eves:** Yes, I do get the point.

**Hon Ms Churley:** The issue here is not to get the money.

**Mr Eves:** The point is that there are thousands of non-profit organizations that you're terminating. That's the point.

**The Speaker (Hon David Warner):** Order, the member for Parry Sound.

**Hon Ms Churley:** The issue here is—let me say it again—that all other jurisdictions in Canada, including the federal government, have this kind of program in place. Because your government in the past—and perhaps at the time it thought it was doing the right thing; it didn't work. People have not been keeping their files up to date and it is a problem.

We don't think we will be dissolving any of these companies. Let's get real here. It's \$25 a year for non-profits. As I said, we have been taking extraordinary steps to make sure that everybody is aware that they do have to keep their records up to date.

**Mr David Johnson (Don Mills):** The point is that the minister is threatening baseball organizations, Rotary clubs, skating clubs, with dissolution. That is really the point.

My question is with regard to the business community. You will know that the Progressive Conservative Party has a task force on small business. What we have heard across the province of Ontario is that the business community is sick and tired of the taxes, the fees, the red tape, the regulations. These are the things that are strangling our competitiveness in the province of Ontario. Is it any wonder, Minister, that we have fewer jobs, that we have high unemployment, that we have a stagnant economy?

My question to you is with regard to the annual



corporate filing and with regard to the fee. Most businesses file the same information year after year. Why do they have to pay year after year if it's the same information?

**The Speaker:** Would the member place a question, please.

**Mr David Johnson:** The Progressive Conservative Party has called for an end to the corporate filing fee. Minister, will you withdraw the threat to dissolve corporations, to dissolve the community organizations, and in the budget tomorrow will you withdraw this corporate filing fee?

**Hon Ms Churley:** I certainly dispute some of the comments that were made by the member about the record of this government and the performance level in this province. I think he's wrong.

But to get to the point of the question, I'll say again that it was the Tory government, in my view, that caused this problem in the first place. I think it took a politically irresponsible solution to a situation, which didn't work. Dropping that filing fee and dropping the legal requirement that corporations file new information on a yearly basis caused the database to be in total disarray. This record is searched by thousands of people every year, and the information that's available is incorrect. This can cause real problems for corporations and the public, who are looking for reliable data and information which the government is required to provide to the public.

Let me say again that most corporations are paying this fee, which is—

**The Speaker:** Could the minister conclude her response, please.

**Hon Ms Churley:** It's \$25 a year for non-profits and \$50 a year for corporations. I think that is affordable, and it makes sense to keep these records in order.

**The Speaker:** New question.

*Interjections.*

**The Speaker:** It would be most helpful if members on both sides of the House would refrain from using intemperate language. I asked for the second question. The honourable member for Dufferin-Peel.

1410

#### ENVIRONMENTAL ASSESSMENT

**Mr David Tilson (Dufferin-Peel):** I have a question for the Minister of Environment and Energy. I've received today confirmation that you have exempted the Windsor casino project from an environmental assessment. For the benefit of all, would you explain your rationale in waiving the requirement of an environmental assessment in the city of Windsor for the casino project?

**Hon Bud Wildman (Minister of Environment and Energy):** I'm not quite certain of the wording of the member's question. The basis of the decision was twofold. First, a number of the issues that were raised by those who requested an environmental assessment will be dealt with through the normal process. For instance, I understand the city of Windsor has done a traffic study, and if there were a need for—

*Interjections.*

**Hon Mr Wildman:** No, let me finish. If there is a need for an expansion of the road system, that would be subject to the class EA process. Also, if there were the need to expand the water and sewer hard services, that would be subject to a class environmental assessment process. So on that basis, the project would already be subject to the class EA process.

On the other matter, of the proponent as a private sector proponent, there is the question too of whether they would be subject to a full EA normally, and normally they would not be.

**Mr Tilson:** Well, it was that question and that response I was concerned with, Minister, because that's a statement you did make in your letter dated Monday. You stated in this letter that as a private sector development, the proposed casino complex was not subject to the requirements of the act.

I must say, I find that very strange, particularly because when we went through Bill 8—and Bill 8 made it quite clear that the casino experiment was a partnership with the province of Ontario and the Ontario Casino Corp—the member for Windsor-Riverside called the experiment a partnership with the Ontario Casino Corp and the city of Windsor.

You have stated in your letter, as has the former employee for the Ministry of Consumer and Commercial Relations, Mr Alfieri, who now darn near runs this casino corporation—he has stated that the Minister of Economic Development and Trade will be responsible for running a casino, which is not exempt, as you know, under the legislation.

Ontario taxpayers have paid for the renovations to the interim casino, have paid for a whole slew of things. The member for Parry Sound has spent a great deal of time in this House talking about the money that's been spent by the province of Ontario. The city of Windsor is paying for the parking lot and the expropriation. My question, Minister—

**The Speaker (Hon David Warner):** Could the member place a question, please.

**Mr Tilson:** Yes, Mr Speaker. I'm coming to that.

There is an awful lot of public money in the project that you're calling private. How can you justify the rationale that this is a private development to exempt it, when all these public funds are used to finance and set up the project?

**Hon Mr Wildman:** The proponent is the casino consortium, which is a private consortium made up of, I believe, Circus Circus, Hilton Hotels and Caesars World, and those are private corporations. The casino corporation is an agency of Her Majesty, which is responsible for the regulation of gaming in the province and is not, as such, a proponent.

**Mr Tilson:** This is great stuff we're hearing today. You know, it wasn't long ago that we heard the Premier of the province saying casinos were bad and environmental assessments are good.

Minister, this decision to exempt the environmental assessment from the casino project was exercised in your sole discretion. You've made that quite clear today.

You've made it quite clear in your letter. You've made it quite clear in the media.

We don't trust you with respect to that decision and other decisions you're making on environmental assessments throughout this province. We don't trust you when you say you're going to exempt the Windsor casino and when you say you're not going to exempt the Interim Waste Authority when the heat gets turned up in Caledon and Vaughan and York. The Liberals, you recall, were prepared to put a dump at Whitevale without an environmental assessment. How can we trust that you won't do the same thing with the casino project in Windsor, with the three dumps in Caledon, York and Durham?

**Mr James J. Bradley (St Catharines):** You're misleading the House. That's not true.

**The Speaker:** Order, the member for St Catharines.

**Hon Mr Wildman:** With respect, the question is a little convoluted. I would indicate to the member, as I said in my first answer, that there are many aspects of this project, and the concerns raised by those who requested environmental assessment, those concerns I considered, are already subject to the class environmental assessment process: questions of traffic, roads, hard services and noise; air quality is being monitored; an advisory committee is being set up to deal with social issues that are related to impacts of the casino—

**Mr Tilson:** A full environmental assessment, not the study of the roads.

**Hon Mr Wildman:** I don't think the member, although he is the environmental critic, understands the class environmental assessment process. It's unfortunate, because it is a very thorough process and it is one that is dealt with throughout the province by municipalities and other proponents for projects, and it has made it possible for us to deal with many, many proposals.

I would point out that while the member indicates he does not have a great regard for me or does not trust me, I hold him in the highest regard.

#### HEALTH CARE

**Mr Sean G. Conway (Renfrew North):** In the absence of the Minister of Health and the junior minister of Health, I'll direct my question to the Deputy Premier. It will concern the whole question that the Minister of Health and I were debating yesterday, namely, the provision and the maintenance of an adequate number of doctors across Ontario.

The minister reported in her answer yesterday that she was not able, to date, to conclude successfully the negotiations with the Ontario Medical Association to ensure a new underserved area program.

As I speak today, Red Lake in northwestern Ontario and Newbury in southwestern Ontario are two places where emergency departments cannot be open on a 24-hour basis because those communities and their hospitals cannot provide an adequate number of doctors to staff those facilities. What does the Deputy Premier's government have to say to people in communities like Red Lake and Newbury, which are faced with that reality today, and Barry's Bay in my part of Ontario, which will soon be in exactly the same position? What are you

saying to those communities as to what your government will do to ensure—

**The Speaker (Hon David Warner):** Could the member complete his question, please.

**Mr Conway:** —an adequate number of physicians so that the public needs are going to be met there?

**Hon Floyd Laughren (Deputy Premier):** I do appreciate the question. As someone who represents a northern constituency, I am very familiar with the problem of trying to convince doctors to come to northern Ontario and to other small communities.

Quite frankly, I've never understood why the Ontario Medical Association has not taken it upon itself to make assurance that this would never be a problem. I've never understood that. In the end, at some point, governments will end up taking arbitrary actions, which I think is not what we want to do. I always say to the physicians when I meet with them, "Why do you not solve this problem yourself?"—almost a paraphrase of, "Physician, heal thyself."

We've got a problem here. I don't think the deputy leader of the official opposition is saying that the government should pass legislation requiring that doctors go to these small communities. I don't think he's saying that. He may be saying what his leader says, and that is, "Throw more money at the problem." If he's saying that, I wish he'd say that when he builds in his supplementary.

1420

**Mr Conway:** What I want to remind my colleague the Deputy Premier of is simply this: ten months ago your colleague the Minister of Health said she had a plan. My colleague the member for Kenora has said in this House that the people of Red Lake are waiting because they do not today have a fully staffed emergency department. Yesterday, the member for Elgin reported to the House that as of today Four Counties General Hospital in Newbury will not have a fully served emergency department.

It's not just the small towns. Peterborough is reporting that it has a serious shortage of family physicians. In the city of Belleville, in the city of Pembroke, health care professionals and communities are saying to the government, "We have a real ongoing deficit with specialists." In the case of Peterborough, it's family physicians. In Belleville and in Pembroke, to name two more examples, it's a chronic shortage of psychiatrists.

**The Speaker:** Could the member place a question, please.

**Mr Conway:** The people in these communities want to know, having regard to the Minister of Health's solemn promise last summer, what is your plan and what are you doing now to ensure that the real and pressing needs of people in these large and small centres, north, south, east and west, are going to be met?

**Hon Mr Laughren:** I know it's the responsibility of government to answer questions, not ask them. I appreciate that fact, having spent a few years on the other side. However, I do think it would be helpful if from time to time members of this assembly would indicate where they stand on solutions to these very nagging problems.



**Interjection:** Where do you stand?

**Hon Mr Laughren:** I'm telling you where I stand and where this government stands.

*Interjections.*

**Hon Mr Laughren:** If you will let me answer, I can tell you that our plan is to negotiate an agreement with the Ontario Medical Association to resolve this very difficult problem. I don't believe we should have to throw more money at doctors to convince them to come to small communities. I don't think that's the right solution. Second, I don't believe it's right that we should have to pass legislation that says, "You have to go there to practise medicine." I don't like that idea either.

Therefore, it seems to me that leaves a third alternative, which is to negotiate an agreement with the Ontario Medical Association. I must say, I remain puzzled as to why that has not happened on the part of the Ontario Medical Association.

#### PUBLIC HOUSING

**Mrs Margaret Marland (Mississauga South):** My question is for the Minister of Housing. This spring we have had one non-profit housing scandal after another. First we had Cityhome running \$1 million over budget on one project. Next we had gross financial irregularities at Houselink. Then we learned that this NDP government wrote off \$16 million in loans to the Supportive Housing Coalition. Now we discover that public housing, government-owned and -operated housing, also seems to be in trouble. Police anti-corruption investigators are probing, guess what? The Metropolitan Toronto Housing Authority. Apparently, they are also looking into tendering irregularities.

Minister, I am not asking you to comment on a police investigation. However, I would like to know what you will do to ensure that MTHA is responsibly managed and fully accountable to the taxpayers of Ontario.

**Hon Evelyn Gigantes (Minister of Housing):** In a very short period of time it's very hard to outline all the steps this government has undertaken to ensure that the Metropolitan Toronto Housing Authority is up to date in terms of being a modern manager of housing that provides assistance to some of the neediest individuals and families in this area. It has a very large portfolio, and, as the member from Mississauga knows, it has not had an easy past. I know she was in this Legislature during the time when the Conservatives were in government, and the Metropolitan Toronto Housing Authority was not then an organization of which she would have been proud. Indeed, the difficulties it has experienced as it has attempted to deal with and provide housing for some of the neediest people in this very large urban area has been a very large task.

We have undertaken a series of changes, including the participation of some residents of the communities included in the Metropolitan Toronto Housing Authority portfolio, which are going to move that authority to a different outlook on its future—

**The Speaker (Hon David Warner):** Would the minister conclude her response, please.

**Hon Ms Gigantes:** —and how it comes to grips with

the very strenuous kinds of problems it has faced over the last several years.

**Mrs Marland:** Minister, I'm actually younger than I look. I was in the government for only six weeks in 1985.

Business continues at MTHA during the police investigation, tendering continues, acquisitions continue. An agency with a \$250-million budget must have a proper and accountable tendering process. MTHA's board members must also be very concerned about the implications of the investigation for them, since they are legally responsible for MTHA's operations. The board members represent the community. Some are MTHA tenants. Some have no significant business or legal background. If there is anything happening at MTHA which could compromise them, it must stop now.

Minister, will you ask the Provincial Auditor to conduct an independent audit of the Metropolitan Toronto Housing Authority, and will your government broaden the scope of the public accounts committee's review to handle and to include the MTHA?

**Hon Ms Gigantes:** There are questions which need to be resolved around the need for changes in management at the Metropolitan Toronto Housing Authority. That has been clear to members of this House for many a year, including the young member for Mississauga South. But to say that change is going to happen overnight is to pretend. We know it's going to take hard work by the many serious people who have taken on responsibility at the board, and a renewal of the morale of the organization, which I think the member herself will recognize has been very low for many a year.

The previous government had attempted to usher in a renewal process for MTHA. This government has picked up that effort and moved forward. We very much regret that there has had to be police involvement in a case at MTHA. Certainly the Provincial Auditor, as the member well knows, is perfectly free at any time to suggest what kinds of reports he wants to make on what kinds of government arrangements, contracts and agencies. The public accounts committee can do the same.

#### RAIL SERVICE

**Ms Sharon Murdock (Sudbury):** My question is for the Minister of Transportation. As many in this House know, CN North America and the CP Rail system have approached the federal minister, Doug Young, with a proposal to merge their operations east of Winnipeg.

This has, as you can well imagine, raised serious concerns in northern Ontario, and other communities as well, but northern Ontario especially. If this merger is allowed, only one of two major rail lines will be left in the north to handle the vast body that makes up northern Ontario. We rely on that, as you may well imagine, in terms of getting around. It's not like where we have GO Transit in southern Ontario.

I would like to know from the minister what actions the Ministry of Transportation has taken to force the federal government to relook at this issue and consider its responsibilities to northern communities. I would also like to know how his ministry intends to work with northern

communities in terms of getting our point across to the federal ministry.

1430

**Hon Gilles Pouliot (Minister of Transportation):** The member is right: When we refer to the fabric, the way of life, the tradition in our special part of Ontario, rail immediately comes to mind, be it CN or CP. It goes back to Confederation, an important element in communications east-west.

Let's get one thing straight: CNR is owned by the federal government. The chairman of the board of Canadian National Railways is Jean Chrétien. If they propose to rip off the rail, to rip off the heart of the community, it is their responsibility, and they shall do so at their own peril.

What we've done at MTO, in conjunction with the Minister of Northern Development and Mines, is commission a study to look at the impact. I have written to my federal counterpart, Doug Young, the federal Minister of Transport. We are concerned about the workers. We're concerned about the social fabric. We're concerned about natural resources. We're concerned about transporting goods and people from point A to point B and therefore about our future. We're doing everything we can in a restricted environment.

**Mr Len Wood (Cochrane North):** I have a supplementary for the Minister of Transportation. The intended merger between federally owned CN and CP rail systems is going to be a tragedy in communities in my riding if it is not stopped. Jobs will be lost and communities economically will be hurt, like Hornepayne, for example. The railway is a vital infrastructure of the link between south and north.

I understand our NDP government opposes a merger between CN and CP, and I wholeheartedly agree with this position. Minister, will you approach the federal government to petition for intervenor funding to help communities in the north fight to keep the rail lines open?

**Hon Mr Pouliot:** The question is very timely. The responsibility is to open the books. When we talked about public necessity and public convenience, the taxpayers of Ontario and the taxpayers of Canada have a direct say, or should have. I've asked Doug Young to come clean, allow intervenor funding, allow participant funding so that the decision-making process, since it impacts everyone who lives in northern Ontario, should go to the municipalities, the users, the beneficiaries, all of us who live in the north. Let's make it a democratic process, and for a few dollars we can have our say and we can intervene, if need be, where we feel public necessity and convenience is not being addressed. Then we shall be there.

#### GOVERNMENT SURVEY

**Mrs Elinor Caplan (Oriole):** To the Chair of Management Board: On Monday, my office received a client survey that was distributed by the Management Board secretariat. The survey asked for comments on the operation of the Queen's Park central switchboard. "Your comments on our operation," the survey states, "will assist us in evaluating our operations."

I say to the minister, I believe the survey is an excellent idea. To continually try and improve the services is an important objective, and you have to ask the users for advice and suggestions on how to do that. I support that.

I do have one problem, and it concerns government waste. We have yet another example of a good idea tarnished by wasteful expenditure.

This survey was distributed with a metered, prepaid, stamped envelope at a cost of 43 cents each. My question to you is, why was this survey distributed in a prepaid, stamped return envelope when the survey could have been returned through the intergovernmental mail system?

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet):** Well, it's an interesting question and a good one. I thank the member for raising it.

The answer to the question is fairly simple. The survey to which she refers is a survey of clientele who use the ministry phone lines. So the survey was sent to a number of internal users as well as a number of external users who have been identified as fairly major users of our communications systems. As a result, some of them have to use the federal mail system, the Canada Post system, so we've in fact sent them a stamped, self-addressed envelope. Anybody, though, who returns the questionnaire in the internal government mail, in spite of the fact that it has a metered stamp, will be dealt with by the internal mail, but in order to deal with all of the clients, most of whom are external, we've had to in fact use a stamp.

**Mrs Caplan:** In fact, the minister is quite incorrect. The survey was sent out—because we checked this out—primarily to internal users, approximately 150 staff within government, all MPPs and constituency offices.

Secondly, if your intent was for external users to send it in, a mark that says, "Prepaid postage" or "Postage will be paid" doesn't cost you anything if you print that on the envelope. You then only have to pay for the ones that are actually returned. When you do this, Minister, you have to pay for each and every envelope whether it's used or not and you lose the opportunity to allow people to use the intergovernmental mail office.

Your answer is unacceptable. It shows a lack of thinking about how to operate both more effectively and efficiently. I ask, sir, will you take this back to your people and ask them to look at good, best practices in business to start operating government in a way that's going to save taxpayers' dollars?

**Hon Mr Charlton:** I'm certainly prepared to look at the specific list that the questionnaire was sent out to, but the member tipped her own hand in her second question. She mentioned that there were 150 or 180—I've forgotten the number now—that were sent out. I recall believing there are 130 members right here in this House. One of the groups she mentioned was constituency offices, and one of the realities for constituency offices is that they happen to be spread right across this province and don't have access to government mail.

#### ONTARIO HYDRO RATES

**Mr Leo Jordan (Lanark-Renfrew):** My question is for the Minister of Environment and Energy. Yesterday



our leader launched our plan to restore hope and prosperity in this province.

*Interjections.*

**The Speaker (Hon David Warner):** Order. Would the member take his seat.

I would ask the member for Durham East to please come to order. The member for Guelph is out of order.

The member for Lanark-Renfrew with his question.

**Mr Jordan:** Minister, under this plan, The Common Sense Revolution, we are going to freeze Ontario Hydro rates for five years. I ask, would you today make the same statement to the people of Ontario and make it effective today?

**Hon Bud Wildman (Minister of Environment and Energy):** The member knows full well that this matter has been referred by the government to the Ontario Energy Board for hearings which will be completed in August. He also knows that Ontario Hydro has made a commitment to freeze rates for 1994 and to maintain rates at or below the rate of inflation for the rest of the decade.

In my view, that is a real, commonsense revolution and indeed a revolution when compared to how both these parties operated with regard to Ontario Hydro when they were in power.

**Mr Jordan:** I think the minister knows very well that they only review Hydro increases; they do not review the freezing of the rates.

I'm asking you again, Minister, are you satisfied with the status quo at Hydro or are you willing to send out a signal to industry and all Hydro customers across this province that you're willing to give stability to this province on the subject of energy by freezing those rates for five years?

**Hon Mr Wildman:** The member knows that if I were in favour of the status quo at Ontario Hydro, we would have continued the increases which led to a 30% increase, cumulative, over three years previous to 1993-94.

1440

**Mrs Margaret Marland (Mississauga South):** That's too convenient.

*Interjections.*

**The Speaker:** Order.

**Hon Mr Wildman:** Further, if I were satisfied with the status quo, I would have continued doing what that party did when they were in power, and that is to commit Ontario Hydro, ever and ever again, to more and more megaprojects like Darlington, which required us to meet debt charges which are escalating at enormous rates and which caused the rate increases about which the member himself is complaining.

#### DRIVER EXAMINATIONS

**Ms Christel Haeck (St Catharines-Brock):** My question is to the Minister of Transportation. I have been receiving a number of complaints from constituents—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Ms Haeck:** As I started to say, my question is for the Minister of Transportation, and it relates to a number of

complaints that my office has received with regard to the booking of road test exams. The constituents have complained that they've had difficulty getting through on the phone lines even to talk to somebody to book an exam. When they get through, they are told they will have to wait as long as five months.

Officials at MTO, I truly believe, have been overwhelmed with calls since the introduction of graduated licensing. While that volume of clients has increased, I would obviously bring to the minister's attention that the staff at the centre have not been able to deal with this.

What action are you and your ministry going to be taking to assure the constituents of St Catharines, St Catharines-Brock, St Catharines Lincoln, that they can have access to this basic licensing service?

**Hon Gilles Pouliot (Minister of Transportation):** A more legitimate question you shall not find. The average in the St Catharines region is approximately nine weeks.

We have a problem. Let's admit it; we do have a problem. Some 250,000 Ontarians enter the system each and every year. We have a backlog. Fully 50% of the applicants fail the test, so people have to be tested twice, sometimes three, at times four times. We've added two additional testers for St Catharines. One will start on, I believe it's May 16, and the second one shortly thereafter.

We're monitoring compliance. The system is improving. We're on the right track and very, very much aware indeed, and thanking the member for the question.

**Ms Haeck:** To follow up on this, not only do we have the car drivers to consider but it has been brought to my attention that there is a problem with truck driving licences, and these are licences that people need for employment. They are being told to book an appointment out of town in places like Kitchener, at exam centres where they may likely receive speedier services, and I believe, and it's quite true, that it has to be costly. So you may be aware that the Transitions program and WCB are sending local trainees to Guelph for up to six weeks, which we pay for by tax dollars.

**The Speaker:** Would the member place the question, please.

**Ms Haeck:** Mr Speaker and Mr Minister, the backlog problem must be addressed, and I'm asking you and the minister how this is going to be resolved.

**Hon Mr Pouliot:** The problem is being managed. It's being controlled. But the focus is if you're a bus driver, if you're a truck driver, if you make a living and you need a licence, common sense prevails that you should be given priority. It only makes common sense. We're improving the system throughout the province. Graduated licences will save lives, but it does put, for a certain time in the interim, some extraordinary pressure on the system. We're coping with it and we welcome the question again from the member—very timely.

#### PETITIONS

##### KETTLE ISLAND BRIDGE

**Mr Gilles E. Morin (Carleton East):** I have a petition from my constituents. It's addressed to the Parliament of Ontario:

"Whereas the government of Ontario has representation on JACPAT (Joint Administrative Committee on Planning and Transportation for the National Capital Region); and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island, which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of citizens in the Ottawa region, have passed motions rejecting any bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods,

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or at any other location within the city of Ottawa core."

I affix my signature to this petition.

#### SEXUAL ORIENTATION

**Mr David Tilson (Dufferin-Peel):** I have a petition addressed to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario from a number of constituents in my riding of Dufferin-Peel.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Section 3 of Bill 45 seeks to amend the definition of 'marital status' by striking out 'of the opposite sex.' This will redefine the family as we know it as a heterosexual union upon which the family is built." And they've quoted Judge Ormrod of 1970.

"This bill has not been fully examined for financial and societal implications and we believe that there may be an enormous negative impact on our society both morally and economically over the long term if this bill passes.

"We believe in freedom from discrimination which is enjoyed by everyone by law now. But since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code and therefore could include sado-masochism, paedophilia, bestiality etc, and morally neutral characteristics of race, religion, age and sex, we believe all references to sexual orientation in Bill 45 should be removed.

"Therefore, we request that the House refrain from passing Bill 45."

I have signed this petition.

#### FIREARMS SAFETY

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** I have a petition sponsored by the Ontario Federation of Anglers and Hunters and signed by many of my constituents from places like Napanee, Roblin, Selby, Bath and Hay Bay.

"To the Legislative Assembly of Ontario:

"Whereas, we, the undersigned, strenuously object to the Ministry of the Solicitor General's decision on the firearms acquisition certificate course and examination; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

1450

#### TOBACCO PACKAGING

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I have a petition to the Legislative Assembly of Ontario in support of plain packaging of tobacco products:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public;

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I will affix my signature to this petition.

#### JUNIOR KINDERGARTEN

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the previous provincial Liberal government of David Peterson announced its intention in its budget of 1989 of requiring all school boards to provide junior kindergarten; and

"Whereas the provincial NDP government is continuing the Liberal policy of requiring school boards in Ontario to phase in junior kindergarten; and

"Whereas the government is downloading expensive programs like junior kindergarten on to local boards while not providing boards with the funding required to undertake these programs; and

"Whereas the Wellington County Board of Education



estimates that the operating costs of junior kindergarten will be at least \$4.5 million per year; and

"Whereas mandatory junior kindergarten programs will force boards to cut other important programs or raise taxes; and

"Whereas taxes in Ontario are already far too high;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government of Ontario cancel its policy of forcing junior kindergarten on to local school boards."

I am very supportive of this petition and I have endorsed it.

#### CASINO GAMBLING

**Ms Christel Haeck (St Catharines-Brock):** I am presenting a petition signed by 100 constituents from the Niagara area. It relates to casino gambling. Basically, the final statement says:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We who are opposed to casino gambling request that the Legislative Assembly of Ontario not allow the city of Niagara Falls to become a candidate for a gambling casino unless there is broad-based public support for such a facility, which we are requesting to be determined through a referendum vote by the citizens of Niagara Falls."

I have affixed my signature appropriately and I in turn have signed this petition in agreement with its tenet.

#### SALE OF AMMUNITION

**Mr James J. Bradley (St Catharines):** I have a different petition. This is to the Legislative Assembly of Ontario:

"Whereas it is imperative that we make our streets safe for law-abiding citizens;

"Whereas any person in Ontario can freely purchase ammunition, even though they do not hold a valid permit to own a firearm;

"Whereas crimes of violence where firearms are used have risen at an alarming rate; and

"Whereas we must do everything within our power to prevent illegal firearms from being used for criminal purposes;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To immediately pass Liberal Bob Chiarelli's private member's bill, Bill 151, to prohibit the sale of ammunition to any person who does not hold a valid firearms acquisition certificate or Ontario Outdoors Card."

I am signing this petition, as I am in agreement with it.

#### SEXUAL ORIENTATION

**Mr W. Donald Cousens (Markham):** This petition is signed by people from Port Perry, Kingston, Mississauga and North York:

"To the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a union between a man and a woman are

under attack by Liberal MPP Tim Murphy in his private member's Bill 45; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no PC support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently with the legislative committee on administration of justice and is being readied for passage in the Legislature; and

"Whereas the bill has not been fully examined for financial and societal implications;

"We, the undersigned, petition the Ontario Legislature to stop this bill and to consider its impact on families in Ontario."

I have affixed my name in support of this petition.

#### LAND-LEASE COMMUNITIES

**Mrs Irene Mathysen (Middlesex):** Once again I have a petition about a very serious matter in the riding of Middlesex. It's on behalf of the constituents of Twin Elms in Strathroy. They petition the Legislative Assembly as follows:

"Whereas Bill 21 has received second reading in the Legislative Assembly of Ontario; and

"Whereas Bill 21 will provide needed protection to owners of mobile homes in mobile home trailer parks and owners of modular homes in land-lease communities; and

"Whereas many owners of mobile homes are threatened with eviction and loss of their investment in their mobile home by the action of their landlord;

"We, the undersigned"—and that includes many seniors—"petition the Legislative Assembly of Ontario as follows:

"To proceed as expeditiously as possible with third reading of Bill 21."

I have most certainly signed my name to this worthy petition.

#### GAMBLING

**Mr James J. Bradley (St Catharines):** I have a petition on casino gambling. It reads as follows:

"Whereas the government of Ontario has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the government of Ontario has had a historical concern for the poor in society who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the government of Ontario has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the

people of Ontario;

"Therefore, we, the undersigned, petition the Legislative Assembly as follows:

"That the government of Ontario immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

I affix my signature to this as I agree with it.

#### SEXUAL ORIENTATION

**Mrs Elizabeth Witmer (Waterloo North):** I have a petition that has come to me from Martha Mackenzie in Waterloo:

"To the honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it.

"We believe that there will be an enormous negative impact on our society, both morally and economically, over the long term if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, which is enjoyed by everyone by law now. But since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code and therefore could include sado-masochism, paedophilia, bestiality etc, and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age and sex, we believe all references to sexual orientation should be removed from the Ontario Human Rights Code and Bill 45.

"Therefore, we request that the House refrain from passing Bill 45."

This has been signed by approximately 30 people.

#### EMERGENCY SERVICES

**Mrs Irene Mathysen (Middlesex):** I have another petition, this time from Middlesex constituents who utilize emergency services at Four Counties General Hospital in Newbury. These approximately 16,000 people dependent upon the services of Four Counties General Hospital petition the Legislative Assembly to call upon the Ministry of Health and the Ontario Medical Association to resolve the issue of emergency medical coverage in rural emergency departments and ensure that the rural residents of Ontario have the adequate emergency care to which they are entitled.

I have signed my name to this petition.

1500

#### POST-POLIO SYNDROME

**Mr James J. Bradley (St Catharines):** This petition is addressed to the Legislative Assembly of Ontario:

"Whereas post-polio is a new phenomenon to attack survivors of polio;

"Whereas the Ottawa and District Post-Polio Association has been formed to help survivors of polio;

"Whereas most family practitioners do not have the specialized knowledge to treat post-polio symptoms effectively;

"Whereas we, the members and friends of the Ottawa and District Post-Polio Association, wish to emphasize to the Ontario government the need to fund a post-polio clinic in Ottawa;

"Whereas a formal request was presented by the Ottawa and District Post-Polio Association to the Ottawa-Carleton Regional District Health Council in May 1988 and received a top priority at that time;

"Whereas the Rehabilitation Centre of Ottawa-Carleton has presented a proposal to the Ministry of Health for funds to establish a post-polio clinic;

"Whereas there are at least 1,000 known polio survivors in the catchment area of the Rehabilitation Centre who need the immediate services of a clinic;

"Whereas there are at least 5,000 polio survivors in Ontario;

"Whereas there is only one formally constituted post-polio clinic, which is in Toronto and which has a lengthy waiting list;

"Whereas the cost and difficulties of several trips to the Toronto clinic and staying overnight each time are often insurmountable for a disabled person;

"Whereas polio survivors who had no paralysis from the initial attack of polio are not immune from developing post-polio symptoms of varying severity;

"Whereas research indicates that 80% of polio survivors may develop post-polio symptoms anywhere from seven to 71 years after the attack;

"Whereas post-polio symptoms are not related to the aging process;

"Whereas, because of immigration, the post-polio population will not diminish,

"We, the undersigned, petition the Legislative Assembly of Ontario to establish a post-polio clinic in the Rehabilitation Centre of Ottawa-Carleton for the diagnosis, treatment and follow-up of patients and to disseminate information so that the estimated 1,000 known polio survivors in the centre's catchment area can receive adequate treatment, and that the medical profession be educated regarding the post-polio syndrome."

I affix my signature to this petition.

#### REPORTS BY COMMITTEES STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mrs Marland from the standing committee on government agencies presented the committee's 21st report.

**The Deputy Speaker (Mr Gilles E. Morin):** Do you wish to make a brief statement?

**Mrs Margaret Marland (Mississauga South):** I have no comment, thank you, Mr Speaker.

**The Deputy Speaker:** Pursuant to standing order



106(g)(11), the report is deemed to be adopted by the House.

### INTRODUCTION OF BILLS

#### ADOPTION DISCLOSURE

#### STATUTE LAW AMENDMENT ACT, 1994

#### LOI DE 1994 MODIFIANT DES LOIS

#### EN CE QUI CONCERNE LA DIVULGATION DE RENSEIGNEMENTS SUR LES ADOPTIONS

On motion by Mr Martin, the following bill was given first reading:

Bill 158, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of Adoption Disclosure / Projet de loi 158, Loi modifiant la Loi sur les statistiques de l'état civil et la Loi sur les services à l'enfance et à la famille en ce qui concerne la divulgation de renseignements sur les adoptions.

#### HAMILTON COMMUNITY FOUNDATION ACT, 1994

On motion by Mr Abel, the following bill was given first reading:

Bill Pr114, An Act respecting The Hamilton Community Foundation.

### ORDERS OF THE DAY

#### COURTS OF JUSTICE

#### STATUTE LAW AMENDMENT ACT, 1993

#### LOI DE 1993 MODIFIANT DES LOIS

#### EN CE QUI CONCERNE LES TRIBUNAUX JUDICIAIRES

Resuming the adjourned debate on the motion for second reading of Bill 136, An Act to amend the Courts of Justice Act and to make related amendments to the Freedom of Information and Protection of Privacy Act and the Justices of the Peace Act / Projet de loi 136, Loi modifiant la Loi sur les tribunaux judiciaires et apportant des modifications corrélatives à la Loi sur l'accès à l'information et la protection de la vie privée et à la Loi sur les juges de paix.

**The Deputy Speaker (Mr Gilles E. Morin):** I believe Mr Curling was the last one to debate the issue. Further debate?

**Mr David Turnbull (York Mills):** I'm very pleased to rise on this bill today, Bill 146. First of all, I will start out by just reading some comments from today's Globe and Mail.

The headlines of today's Globe and Mail story: "Ontario Braces for Bad News in Budget: Deficit, Interest Burden Likely to Exceed \$8 Billion Each, Analysts Say." For the first time in recent memory, the province's deficit and interest bill on more than \$80 billion—

**Mr Kimble Sutherland (Oxford):** Speaker, I believe we were to do 136.

**The Deputy Speaker:** Order, please. We are doing Bill 136, not 146.

**Mr Turnbull:** Sorry.

**The Deputy Speaker:** That's okay. Further debate?

**Hon Marion Boyd (Attorney General):** I want to begin this afternoon by thanking my colleagues in the Legislature, first, for their stated intention to support Bill 136, An Act to amend the Courts of Justice Act and, second, for their many expressions of concern and interest in the matters which are contained in that bill. I

assure my colleagues that their comments on the bill will indeed be taken into account, and I too look forward to a thorough discussion of the bill when it goes before the justice committee.

However, some of my colleagues raised matters which ranged well beyond Bill 136, seeming to think that all the possible issues under the justice banner should be able to be resolved with these amendments. Members suggested changes to a variety of bills, the Family Support Plan Act, the Law Society Act, the legal aid plan and a number of other acts, including those under federal jurisdiction such as the Criminal Code and the Young Offenders Act. Although these issues raised under other pieces of legislation are of course important and in some cases even urgent, they are not the subject of the present debate. Instead, we are faced here with deciding upon legislation which is designed to improve the administration of justice.

I'd like to organize my comments this afternoon under four general headings which I think will respond to some of the comments of my colleagues.

The first area is the area of accountability and independence because this is the major aspect of this bill which is so important. We are faced in this province, as in other jurisdictions, with a situation where the general population is expressing concern about the accountability of the justice system. There are those who are highly critical of the judiciary and of the rest of the justice system, and who need to have some reassurance that there is accountability within the system and that this accountability in no way infringes upon the independence of the judiciary.

1510

The independence of the judiciary is a hallmark of democracy, and it is extremely important that we all reaffirm, whenever we deal with the administration of justice, the principle of independence. It is not appropriate for the judiciary to feel pressured by any area of society. Political pressure, whether it comes from legislatures, whether it comes from the general population, is not to be tolerated.

Judges must be free to make decisions based on the facts which come before them in their courts. It is extremely important that nothing we do in this Legislature in any way infringes upon that independence. Some of my colleagues expressed some concern that some of the issues within the courts of justice bill might do exactly that, and it is important for us to establish that we do not believe that is the case and that in our very extensive consultation with the judiciary we do not have any sense that they are fearful of that.

The purpose of this bill is indeed to set out in very clear ways how our judiciary is to be chosen in the province of Ontario, what the standards are under which they operate, how we can expect them to interact with the other parts of the justice system through such mechanisms as the various rules committees that exist, how they can operate in a management way within the reformed court system of the province of Ontario. It is extremely important that these issues be public, that they be available to people, so that there is a better understanding of

how the courts of justice actually operate.

One of the issues that's dealt with in this bill is the appointment of judges. It's important to understand that the appointment of judges through the mechanism of an appointments advisory committee, which was first piloted under the previous Liberal government, is in this bill being put into place in a permanent way and under a set of guidelines and rules that help us to understand the importance of public participation in such an appointments advisory committee.

Because the appointment of judges in the bill is clearly referred to as needing to represent the diversity of the population, there was some concern on the part of my colleagues that there might be some possibility that merit would not be the first issue in the choosing of judges. That is absolutely not the case. This problem people have of assuming that when we are asking for diversity we are not insisting on merit is really based on some of the systemic discrimination that has existed in our society, where assumptions that people who belong to a different group than we may belong to or than the dominant group somehow may not be able to meet the test of meritousness. That is not at all the case. It is very clear that merit is the first issue, that excellence is the first criterion that has been set by the Judicial Appointments Advisory Committee, and we want to reassure anyone who has concerns about that.

One of our colleagues talked about being afraid of conflict of interest on the Judicial Appointments Advisory Committee, and obviously that is of great concern. He did make an error in that he suggested that a political candidate continued as the chair of the appointments advisory committee, and that was not the case. The candidate in question withdrew from that position and has not yet resumed that position subsequent to the election. So that concern, also, we need to be very clear about.

The committee itself is very clear that it wants to remain free from any suggestion that it is operating from any particular point of view. I think this assembly would agree that there are many fine people who are able to act impartially and that we should have a very clear understanding that the Judicial Advisory Appointments Committee is to operate in that way.

The whole issue of the Judicial Council is very important. One of the members opposite suggested that the reconstitution of the Judicial Council, the disciplinary processes and the allowed penalties therein are not very important because very few complaints come forward.

I would remind this assembly that we do have a very fine justice system. We don't expect complaints to be coming in at a fast and furious pace, because we have very fine people on our bench and we certainly expect that complaints would not be numerous. But when they do occur, we need to have the trust and faith of the population that indeed complaints are viewed seriously, that they are looked at by a group of people they can be assured of judging such issues impartially, and that there is a range of possible outcomes when there is a complaint.

I would suggest that one of the reasons there are very few complaints is that those who know about the Judicial

Council in the first place and the complaints procedure also know there is only a limited range of possibilities. One is removal from the bench and the other is to remain on the bench without a blemish upon the character. Frankly, many of the issues people would like to bring forward are issues that would not be resolved by either of those two matters.

The Judicial Council will have lay input, as will the Judicial Appointments Advisory Committee, and those who act as lay representatives will have the benefit of the support that is necessary to enable them to act in an appropriate way, and the bill sets that out.

One of the issues that was raised was the whole issue around judicial management, how the management of the judicial system to ensure the efficient and effective use of the justice system would be done. It's really important for this Legislature to realize that our government has entered into the first formal arrangement ever with a chief judge and chief justices to give them both budget and personnel responsibility over their offices. This is very important to judicial independence and it is very important to them in terms of their accountable management of the system.

We believe we are working together with them in a very effective way to reach mutually satisfactory arrangements for accountability and authority in other areas. This is an evolving relationship which we believe is leading us into a very good partnership that will see the administration of justice work very well.

One member, the member for York Centre, tried to claim that this bill was only about the setting of judicial salaries and denigrated the bill on that account. While indeed the mechanism to set judicial salaries is set out, this is by no means the hallmark of this bill. But it is important for us to recognize in this place that a mechanism to set judicial salaries that is apart from government, that operates in a set way, is an extraordinarily important element to judicial independence. It is one we support and that this bill supports.

Many of the members, particularly the member for Willowdale, expressed very strong concerns about the provisions in the bill around the disciplinary process for deputy judges. The member made very clear points, as did some of his other colleagues, about the nature of the Small Claims Court, the nature of the commitment of lawyers within our community who work in small claims courts at very low daily honorariums and who dispense justice to a large number of people.

I don't think there's enough recognition of the importance of Small Claims Court within our judicial system, particularly with the increased jurisdiction of small claims courts. They dispense justice to a large number of complainants within the province of Ontario.

We are indeed recognizing of and very grateful for the participation of very fine senior counsel in sitting as Small Claims Court judges, and we take very seriously the complaint that has been made by those individuals—frankly, by our regional courts management committee, our Ontario courts management committee and many of the judiciary—that the process set out in the act is far too ponderous and that it is unnecessary, given the nature of the Small Claims Court situation and the appointment by



regional senior judges of Small Claims Court judges.  
1520

I want to assure the members that we are right now working very hard with the office of the Chief Justice to alter and to find a compromise around this. I know the members also want Small Claims Court judges to be accountable. This is very important, particularly given that they do dispense justice in a way that is not in many cases able to be appealable, and that is an extremely important thing. But the accountability mechanism we originally came out with may indeed lead to a very ponderous situation.

We are looking at a process currently, which we will want to discuss before the justice committee, that would operate locally, that would be much more informal, that would have an initial screening out of those complaints that are clearly unfounded or are beyond the jurisdiction of the discipline function. The member for Willowdale is quite right: Most of the common complaints that are received are that people didn't like the decision, and frankly, that has nothing to do with discipline.

The wording of the section certainly seems imposing, and it is important for us all to recognize that the purpose is to have any investigation of complaints be very low-key and very private, and at the same time allow the public to have a recognized avenue where they can bring forward complaints, because we also must recognize that once in a while there may be a serious and justifiable complaint where misconduct has indeed happened. When that happens, all of us want to be able to take effective action to ensure that the public is not endangered by that behaviour.

We have had great cooperation from the judiciary and from the regional courts management committees in looking at this, and I expect that in committee we will hear some of the solutions and we will be able to come to a consensus on how to deal with this particular issue. I want to thank the members who brought forward those concerns and I do expect we will be able to meet those.

One of the situations we all face in these days is how we can ensure that there is real access to justice in our province. Members of the opposition pointed out very clearly that one of the issues in access to justice is the issue of the overclogging of our courts, the backlogs that have existed over a long period of time and never seem to get whittled down properly. We faced that in a very serious way with the Askov crisis in the early part of our term and were able to act fairly decisively to deal with the criminal backlog in a way that met the Supreme Court test. But as a result, the civil backlog became even worse, particularly in the family side and in some of the corporate side. We have found that has led to real concern, not just within the legal community but all over the province, with what that means to access of justice.

There are a number of different things we are trying to do to resolve that, many of which do not require legislative change. In fact, one of the major things we have found in this exercise is that under the general kind of authority the Chief Judge and chief justices have under existing legislation, as long as we are working cooperatively with the courts administration staff and

with the bar, there is a great deal we can do.

I'll give you an example: the simplified rules. The subcommittee of the civil rules committee will soon be going out to consult on proposed rule changes, changes which would lower the cost to clients of civil cases that go up to \$40,000 in the General Division. That consultation is important because it means people will look at the whole situation of the cost of the court as well as its relation to the backlog.

We talked a bit in the debate about the alternative disputes resolution mechanism. It is important for us to recognize that there are alternatives to the adversarial model which has grown up in our courts, and that where those are available they often help to speed the process, to take some of the animosity out of the kinds of disputes we see. It is being embraced very enthusiastically as one—only one—of the many ways in which we can work together to try and speed the process of justice.

But alternative dispute resolution works best, and I would suggest works only, where it is supported by all the players in the system. It is important for us to proceed with that support and to build that support, and we believe the way to do that is where there are willing courts and where there are willing bars to set in place pilot projects which can demonstrate how this works to the benefit of the system and to the benefit of the individuals within the system.

The Civil Justice Review announced a few weeks ago by the Chief Justice and myself will work towards increasing both the visibility and the acceptability of alternative dispute resolution. It is important for people to understand that parties to a dispute and their lawyers are free now to use mediation or arbitration or any other form of alternative dispute resolution, and there is nothing that prevents them from doing that except unfamiliarity with the way in which it works and with the kind of support those alternative means have.

Alternative dispute resolution is already built into the civil case management rules that are being tested in Windsor, in the Sault, in Hamilton in the Unified Family Court, and in Toronto. It's important for this House to know that the case management model which was piloted by a few of the judges in the family court on Jarvis Street has now been extended to cover all of those working in that court. That has been a gradual process of winning support for a system which frankly was looked upon sceptically by some people, with the fear not that it wouldn't speed matters but that it might in fact speed them to the point where people were not in a position to accept the resolution at that point in time.

I believe very strongly that as we become more familiar with non-adversarial ways of resolving disputes we will have a much greater comfort about those. We will know how to safeguard the rights of those who are involved in those situations to ensure that there is a true balance of power between the parties when they are in a mediation situation, and we will see a great deal of change in terms of the load on the court when we are more effective in doing that.

I would also say, with respect to access to justice, issues around legal aid were mentioned, issues around

cost were mentioned. Those are questions we all must deal with. They don't belong under this particular act, except in that if we're not managing the courts properly, the process drags out and of course legal aid costs get higher and higher, and that then puts a drain on our legal aid system, which does make it more difficult for people to receive the legal assistance they need.

It is important, therefore, for us to take the opportunity of looking at this act, to know there is a great deal we need to do in addition to the kinds of management processes and legislative processes we have set up to ensure that access, and that we need to do that at a time when there are increasingly strong pressures on the resources and strong pressures on the eligibility requirements and the availability of legal aid for different offences within this province as compared to other provinces. That is an issue we continue to deal with.

The other major issue we need to discuss under this bill is the whole issue of the Unified Family Court. I want my colleagues to know how much I appreciate their enthusiastic support for the expansion of the Unified Family Court. It is indeed pleasing to see such unanimity around the value and the importance of expanding the Unified Family Court.

It is also important, though, for us to recognize that it can't be done in one fell swoop, without the kind of negotiation that must go on between the federal and provincial governments around how the court is to be supported, the number of judges that might be appointed to that. They will be federal section 96 judges and therefore the federal government will have some say in how fast and to what extent the court is able to expand.

1530

Some of the members expressed great disappointment that we were talking about a gradual expansion of the Unified Family Court. One of the things I would say to them is that I would appreciate their assistance in negotiating with the federal government an expansion that can occur as quickly as it is able to appoint new judges.

Some of the speakers were very concerned about the infrastructure that's required for a Unified Family Court to be effective. I should say to you that this is certainly our concern as well. Unified family courts only work if they do have the support services that are needed.

But it is important to know that the Hamilton Unified Family Court has a great deal in the way of social services, but very few of those exist by virtue of the sections in the Courts of Justice Act. Section 63, the existing section, simply says, "A conciliation service may be established, maintained and operated as part of the Unified Family Court." In this bill, we modernize the language in section 21.15, plus we add two sections to create resources committees—that's section 21.14—and liaison committees.

I should say that we have made an undertaking to the Department of Justice in Ottawa that if the province experiences savings through the appointment of provincial court judges to the Unified Family Court, we would expect to use those resources to support the Unified Family Court. We have an implementation team that's

hard at work on the infrastructure. The target date for our readiness to open new sites is this fall. I should say that the work that has been done to determine what sites might be appropriate has been ongoing for some time and has had the input of many communities. As I said in my speech when I introduced second reading of the bill, it is very important that people be reassured that every possible site in Ontario is being considered.

Obviously, the kind of community resources that are available, the willingness of the bar to participate with the Unified Family Court, the willingness of the judiciary to participate to the extent that it is now in family matters, will be extremely important. We will be canvassing the local bar and the local judiciary as to the support for the location of a Unified Family Court in any particular location.

One of the members was complaining to some extent that the member for London South was suggesting that London is a good location. I should tell the House that I have had probably more lobbying on this issue of what community would be best to host a Unified Family Court than on almost anything else. We have had some expression of interest in most locations in the province. It will be important for that selection to go on in a way that recognizes the need and the ability of communities to support a Unified Family Court, because, of course, we want to build on the success of the Unified Family Court in Hamilton. We want to continue to do that.

We do believe that, given the resources that we have, it is possible for us to support those courts. We are in regular discussions with the General Division, the Chief Justice, the senior Unified Family Court judge and the provincial judiciary who work in the provincial family courts on all of these issues.

We are very concerned, as was one of the members, I believe again the member for Willowdale, about the cost of legal aid, the cost of court action within the Unified Family Court. The tradition indeed has been, as he pointed out, that when you move from one level of court to another, the cost of legal help becomes higher. However, we did a little bit of work after he spoke to us to determine whether that was true in the Hamilton Unified Family Court. Our accounting, of legal aid at any rate, shows that the level is about the same as cases in other parts of the province, and I would hope that would remain the same.

I know that the member will express some concern about legal aid average costs being different from the costs that the middle-income groups and the higher-income groups would pay. I can assure him that we would be wanting to look at that, because that is a very serious issue and members of our community who need to go to Family Court need to be reassured about that.

The rules of procedure which are now in place in the Unified Family Court and in the Provincial Division around the province are to emphasize informality, to try and use a more user-friendly, if you like, approach to those who are approaching the Unified Family Court and to try to do everything possible to assist in an early settlement, because we know how painful and difficult these cases are. I would assume that we will be success-



ful if we set these courts up in a way that has the support of their communities, both the social services and the justice community, in achieving the goals of justice in the Unified Family Court.

In closing, I would like to say again how much I look forward to the ongoing debate within the justice committee. I believe that we have taken some important steps forward in bringing forward this bill. I should say that our bill is being looked at very favourably by other jurisdictions that are struggling with many of the same issues, particularly around accountability and independence, and that we can be very proud in this province that we have taken a leadership role and that we are moving ahead in terms of the administration of justice.

I thank the Legislature for its attention in these matters and look forward to a referral of this bill to the justice committee.

**The Deputy Speaker:** The Attorney General has moved second reading of Bill 136, An Act to amend the Courts of Justice Act and to make related amendments to the Freedom of Information and Protection of Privacy Act and the Justices of the Peace Act. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading?

**Hon Mrs Boyd:** Mr Speaker, to the justice committee.

**The Deputy Speaker:** Shall the bill be addressed to the justice committee? Agreed. Therefore, it will be addressed to the justice committee.

#### CORPORATIONS TAX AMENDMENT ACT, 1994

#### LOI DE 1994 MODIFIANT LA LOI SUR L'IMPOSITION DES CORPORATIONS

Resuming the adjourned debate on the motion for second reading of Bill 146, An Act to amend the Corporations Tax Act / Projet de loi 146, Loi modifiant la Loi sur l'imposition des corporations.

**The Deputy Speaker (Mr Gilles E. Morin):** I believe when we debated this issue the last time, it was Mr Offer who had about 20 minutes left. Mr Offer is not here, so I will ask the question, further debate? The member for York Mills.

**Mr Derek Fletcher (Guelph):** Is this part of the revolution?

**Mr David Turnbull (York Mills):** Yes, this is part of the revolution.

I'd like to quote from today's Globe and Mail. There's an article by Martin Mittelstaedt. The title of it is "Ontario Braces for Bad News in Budget," and the subheadline is "Deficit, Interest Burden Likely to Exceed \$8 Billion Each, Analysts Say." If I could just read in a couple of small clips from this:

"When Finance Minister Floyd Laughren presents his new budget tomorrow, the people of Ontario will get another glimpse at just how near their once-mighty province is to a debt trap.

"For decades, Ontario was a blue-chip stock, with an impeccable triple A credit rating and the country's most vibrant economy.

"But over the past three years, deficits have averaged more than \$10 billion, and Mr Laughren is set to predict

yet another huge shortfall, widely expected to be more than \$8 billion for the fiscal year that began on April 1."

There are a couple of other clips in there, but I want to skip ahead to one interesting comment that is made in this article: "Most analysts don't blame the NDP entirely. Much of the problem has been caused by the steep recession and the previous Liberal government." I think that's a very fair statement.

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Just a few other comments which are germane to this debate today, "And for the first time in recent memory, the province's deficit and the interest bill on the more than \$80 billion the government owes creditors will be roughly equal." That's a very, very serious problem.

"This is the so-called death trap that is the nightmare of everyone who owes a lot of money, where the proceeds from new borrowings merely cover the rising tally of interest on the previous borrowings.

"That's the 'black magic of compound interest,' observed Bill Robinson, economist at the C.D. Howe Institute, a business-oriented research organization. 'We're borrowing to pay interest, and that's unsustainable.'

**Mrs Karen Haslam (Perth):** Why?

**Mr Turnbull:** I hear one of the members from the government benches shouting that this is lies. The fact is that we have a government which has now taken the debt up to \$80 billion—

*Interjections.*

**The Deputy Speaker:** The member for York Mills has the floor. I ask your cooperation. There is a period which is called questions and comments afterwards. If you want to participate, feel free to do so. The member for York Mills.

**Mr Kimble Sutherland (Oxford):** On a point of order, Mr Speaker: The member for York Mills had implied that one of the members had used the word "lies," and they hadn't used that word, so I just want to have that clarified.

**The Deputy Speaker:** The member for York Mills.

**Mr Turnbull:** The \$80-billion debt that we now have is going to be probably around \$90 billion by next year. If any government in the future is to govern this province effectively and manage that debt down, which is an essential element, there are going to have to be some revolutionary changes. That is what my party is talking about: revolution. It's no longer time for political parties to fiddle around on the edges and think that we can solve the problems by waiting for some marvellous pot of gold at the end of the rainbow.

We had the Liberals in power for five years. There was one year that they managed to balance the budget, and it was pure fluke, because they didn't budget it. They predicted that they would have a \$550-million deficit that year and there was an \$888-million unusual transfer from the federal government which bailed them out and gave them a \$90-million surplus.

The fact is that we have debts that nobody in this chamber from our generation will possibly pay off; it will

be our children and our children's children, and I have said this over and over again in this Legislature. The fact is that we have to change the way we do government, we have to have less government involvement, we have to make sure that we spend less money, because we have hit the debt wall.

The fact is that we now have a government in Ontario that does not recognize that job creation will not occur unless it creates an environment which is friendly to business. They have gone in the opposite direction.

There are many governments in the world that in fact have recognized that high taxes are a serious drag on the economy, starting with, for example, the state of Mexico. I'd like to just quote briefly from an address given by President Salinas on the state of the nation on November 4, 1993. I'm just flipping through some of his remarks. He says:

"The tax system reforms have sought to create a more just and efficient treatment and at the same time increase tax collection. The minimum income tax rate for private individuals was lowered from 50% in 1988 to 35% at present. In addition, the enterprise income tax rate was lowered from 40% in 1988 to 35% at present. This created a suitable climate for investment." Read "investment" as jobs.

"The value added tax was lowered from 20% and 15% in 1988 to 10% in the last months of 1991."

Let's just look at what the net impact of those reductions was, and I flip ahead to a page out of the latest budget documents from the Mexican government. It shows tax revenue in the year 1987 prior to these tax deductions of 29.362 million pesos, and it rose in 1990 to the provisional number of 88.965 million pesos, a dramatic increase in revenue, and that can be to no small extent attributed to the fact that the government recognized that the tax system was driving so much of their economy underground as to have a significant avoidance, and they have now been able to lower the tax avoidance and get compliance.

Turning to the other side of the world, let's look at that old socialist bastion Sweden, and an article from the Christian Science Monitor dated December 27, 1988. The text reads: "Sweden has joined the global push, spanning ideological barriers to cut tax rates in order to stimulate individual productivity, curb inflation and bolster economic growth. Notorious for having the world's highest taxes, Sweden recently announced that it would slash personal income tax by as much as 50% for large numbers of Swedes." This was approved by the ruling Social Democratic Party.

This socialist party that we have governing Ontario has not learned the lesson yet, but perhaps if they look at some examples of socialist governments in the world doing the right thing, they might be prepared to consider it.

The finance minister at the time said: "Our tax system is crumbling." He called the system "perverse." He noted that high taxes had led to "rampant tax evasion, lower savings and increased borrowing.

"This is a reversal of traditional Social Democratic tax

politics, says Carl Bild, leader of the opposition Conservative Party, who applauds the move but warns against increases in other areas of taxation."

We have all sorts of examples around the world. We have New Jersey, which has had tax reductions; we've had Britain; we've had New Zealand. All different kinds of political parties have done this, but the fact is they've understood that if you want to stimulate business, you have to have a tax-friendly environment.

Nobody in this Legislature would oppose, hopefully, a fair tax system, but we've got to understand that when we're looking at the corporate tax amendment which is introducing a corporate minimum tax, there is ample evidence to suggest that this is the wrong way to go.

I'd like to quote from the Ontario Fair Tax Commission, which was set up by this current socialist government. From page 58, I quote under "Corporate Minimum Tax":

"Although we have considerable sympathy with the aim of this tax in attempting to deal with the problem of non-taxpaying and low-taxpaying profitable corporations, we are convinced that explicit recognition and a vigorous assessment of tax expenditures would address this issue more efficiently than the application of further corporate tax."

That's what this government's own Fair Tax Commission had to say on this issue.

You spent many millions of dollars arriving at this document, and like so many documents that have been prepared by governments of every political persuasion, they go for the royal commissions, they spend millions of dollars, and then they lie on the shelf, never to be seen again unless there happens to be something where the current government says, "Oh, yes, they're supporting what we've been saying in the past." It doesn't work. The fact is that we need tax reductions in this province.

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When we examine the reason you have profitable corporations that don't pay taxes in a given year, we must understand that, overwhelmingly, it is as a result of the fact that those corporations have ordered their affairs in such a way as to be in compliance with the tax legislation put in place by both the federal and provincial governments, which seek to induce companies to do certain things, namely, to invest in plant and equipment and R&D.

Whether you like those programs or not, the fact is that the government has put them in place, and if a company is in compliance with the spirit of that act, why are you punishing it? You're going back and you're saying, "Okay, it doesn't matter what we told you in the past; we're going to change the ground rules."

We have such deductions in our present tax system, such as depreciation. We have only 75% of capital gains included for tax purposes. We have the so-called super-allowance, which is a tax credit for R&D, and we have the Ontario current cost adjustment, the OCCA. All of these are measures which were put in place by the government of the day and continued under this government, and they are to induce a certain conduct of behav-



iour by those businesses to invest, supposedly, in job creation.

But instead, this government is saying, "It doesn't matter. We're stilling going to go after you for corporate minimum tax." The reason that companies don't pay taxes is that either they're in compliance with the rules or, alternatively, they haven't paid taxes because they haven't made any money.

I am sure that there are some companies that avoid taxes illegally, but there are other avenues to go after it, and that's what the Fair Tax Commission said: by strict adherence to the present rules rather than creating a new tax.

The interesting thing is that this tax is not going to raise a great deal of revenue, and more than anything else, it's a sop to the supporters of this present government who've listened for years to the baloney about corporate welfare bums. Do you all remember that? Your rallying cry, "corporate welfare bums," because they were using the tax system the way it was built.

Now what have we got? We've got the absolutely unusual spectre of a government, this socialist government in Ontario, that sauntered off to the Bahamas a few weeks ago to close a deal to sell rolling stock which the taxpayers of Ontario had already paid for. They have sold that rolling stock to a company set up in the Bahamas. Why did they close it in the Bahamas? I'll tell you quite explicitly: Because it was part of the deal that it would be closed in the Bahamas so that they could avoid taxes. Now we have the spectre of this socialist Ontario government complying with tax dodgers so that people can avoid taxes. Is this the same NDP we used to know? Is it possible that we're talking about the same party?

I remember the rallying cry of "corporate welfare bums." I always thought how hypocritical that was because the people who were saying it had enough sense, by and large, to know that the corporations were complying with the tax laws that were in place at the time, and now we have a government that is bending over backwards to make sure that corporations can avoid taxes.

The company, for your information, just in case some of the backbenchers don't know it, that bought the GO rolling stock and then sold it back on a so-called sale and sale-back—which is a totally new vehicle; most people know sale and lease-back—the company that you sold it to includes one of the Ontario chartered banks, one of the five big banks. They are a partner in that consortium.

You are helping that bank to avoid the withholding tax that is applicable to this transaction. This government, this NDP government, applied to the federal government and asked—and I see my friend the from Oxford wandering around nodding his head. Challenge me in questions afterwards on any single point that I am saying, as to the validity of it. Please, I ask you to because these are the facts.

The facts are that this government went to the Bahamas to close a deal so that the people buying the GO rolling stock from the taxpayers of Ontario—so that you could make your bottom line look a little bit better than it really is. You did it in the Bahamas so that they

could avoid taxes, and one of them is one of the big chartered banks of Canada, the ones you like to revile, and this is how you consort with them.

I hate hypocrisy. I just detest it. If the government of the day doesn't agree with me, big deal. That's fair enough. They ran on a platform. But when we see a government which has had rhetoric for years about corporate welfare bums and they are in fact doing everything in their power to allow corporations to avoid taxation in Canada, it stinks, and it stinks of hypocrisy.

We have a government that spent money in its early days on such things as giving \$50,000 to the unions to create a new union song. What an incredible waste of taxpayers' money, that they spent \$50,000 from the taxpayer to create a new union song. Why not let the unions pay for it themselves?

Almost better still is the example of this government giving a \$25,000 grant of taxpayers' hard-earned money for a group of union leaders to go to a humour school. What on earth are we doing? I cannot believe that I can look across at the government benches and you don't hang your heads in shame at spending \$25,000 of taxpayers' money on a humour school for union leaders. Why don't they pay for it themselves if they want to?

We've got a government which has spent money in every conceivable way. They have spent money on supposedly holding jobs in Ontario, but at what cost? The cost is absolutely enormous. The cost of maintaining each job at de Havilland in Toronto is well over \$100,000. Wouldn't it be better to have lower tax rates so that entrepreneurs could create jobs? Every study, every single study that both this government and every other government has done in North America in the last few years clearly indicates that in fact it's the small and the medium-sized companies that create jobs and maintain jobs.

That is where our job growth will come from and we desperately need job growth. We need job growth because the people of Ontario are suffering. They are suffering so much because they say that they want to work, that they want to be productive, and the drag this government has been on the economy is enormous. That is why Ontario is doing relatively worse than the other provinces during this recession. Fortunately, it does appear that we have turned a corner and the projections are that we will do better in terms of attracting some investment here.

Let's just look at what the Ontario Chamber of Commerce had to say in its pre-budget submission delivered here on April 21, 1994. They said: "Over 80% of respondents to a survey by Ontario's largest business organization want government to deal with the underground economy by tackling spending and reducing taxes. Fiscal problems should be corrected on the expenditure side, not attacked through higher revenue measures."

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That's exactly what my party is talking about in its latest document, the Common Sense Revolution, and anybody who wants to call 1-800-903-MIKE can receive a copy of this document.

We're talking about a revolution because we're not going to tinker around on the edges. We're going to make major changes. These major changes will not suit everybody, but the trouble is that most politicians today haven't got the message that you can't suit everybody. You are going to have to make dramatic changes if we're to get this country and this province back on the tracks.

The key elements of our program are a 30% reduction in personal income taxes, half of which will be achieved in the first year of a Conservative government and the balance over the next two years; over the same period, we will reduce non-essential, non-priority government spending by 20%.

The areas we will not touch: health care—the envelope of health care will not be touched. Any savings that are achieved in health care will be reinvested in the system to ensure that we get back to the state of excellence that health care had in Ontario the last time the government was a Conservative government. We will ensure that the law enforcement budget is not touched and we will not touch the in-classroom funding of education.

These are essential elements to ensure that we have the right kind of support system which will make Ontario attractive for businesses to expand and create jobs and bring prosperity back to this province.

We will freeze Ontario Hydro rates for a five-year period, we will abolish the employer health tax for all corporations that have payrolls of \$400,000 a year or less, and we will make a 5% reduction to WCB contributions. All these measures are aimed specifically at small companies to ensure that Ontario is an attractive place to invest.

We will insist that there are sunset clauses in all future legislation. As well, the legislation that is already on the books which doesn't have sunset clauses will be reviewed in the same way.

We will be creating a fact-finding commission to look at the areas of government that are spending money unwisely.

We will be reducing the number of MPPs from the present 130 to 99, to bring it in line with the federal boundaries. Why on earth are we spending money twice over to create different boundary lines? It just reflects the commonsense approach that Mike Harris brings to government. The fact is that we are spending money to create different boundaries when we could ride on the federal boundary commission boundaries. Either we would administer it or the federal government would administer it, but we wouldn't have duplication. I realize that might put a few of your buddies out of a job, but we will achieve those savings.

We will have a balanced budget by the year 1999.

All of these plans are aimed at creating a minimum of 725,000 jobs. We know this is a reliable plan because these plans have been put through a very vigorous test of an econometric model. One of the leading economists of Canada has verified that indeed this is a doable scheme. His comment is: "This plan will work. The Mike Harris plan to cut personal income tax rates by 30% and non-priority services spending by 20% will give Ontario a

balanced budget within four years and create more than 725,000 new jobs."

These new jobs that we're counting are the ones from the economic stimulation of the economy. We have already factored into that the reduction in government spending.

As well as that, we have completely ignored the natural effect of job creation just as a result of getting rid of Bob Rae and his cronies, because undoubtedly Ontario will do better when we get rid of this government. But we haven't even factored that in because that, as the Treasurer likes to say, would be voodoo economics. These are strictly numbers that can be quantified from an econometric model of the effect on tax reductions.

The effect has been measured, as I said before, in many countries of the world with varying hues of political flavour. We've seen it in Sweden, we've seen it in Mexico, we've seen it in Britain, we've seen it in New Jersey and we've seen it in New Zealand. These people have achieved greater revenues after they have reduced taxes. We've hit the tax wall.

The spending by this government is definitely out of control. But in fairness, I think they have started to understand the problem a little bit better. When they first came into power they spent like drunken sailors and they took over a very wobbly province from the Liberals because the Liberals weren't a solid government; they weren't good managers. I think they had their heart in the right place but they really squandered money, and there is general agreement among the economic community of Ontario that they were bad business managers.

The NDP inherited that situation and made it worse by giving huge pay increases to the staff in the first year, and that's why at the end of that first year we found that the actual payroll for the Ontario civil service had gone up by over 14% at a time that inflation was less than 2%, I believe; a 14% increase in wages, this on top of a Liberal government that had increased the civil service by 9,000 people.

**Mr James J. Bradley (St Catharines):** At the demand of the people.

**Mr Turnbull:** I hear one of my colleagues from the Liberal benches shouting, "At the demand of the people." You must understand, sir, that what has happened is that large corporations around the world have had to learn to be more efficient and they have downsized, medium-sized companies have become more streamlined and governments have become progressively more bloated. At the time that companies were downsizing, the Liberal government was in fact increasing the size of the civil service. Did we get efficiencies for it? Of course we didn't. I've no doubt my good friend the member for St Catharines will jump up and tell me how wrong I am. I look forward to his comments.

I've enjoyed joining this debate. I hope some of the lessons of some other countries, including some socialist countries, might filter through to the government that this is the wrong way to go.

**The Acting Speaker (Mr Hans Daigeler):** I thank the member for York Mills for his contribution to the



debate. We have two-minute questions and comments.

**Mr Sutherland:** I want to respond to the member for York Mills and some of his comments. First of all, I would remind him to look at Hansard for the answer the Minister of Finance gave regarding the GO rolling stock, because I believe he answered that very thoroughly.

The member talked about this revolution, this Common Sense Revolution. Let's be very clear what we're talking about. This is no revolution they're putting forward. This is a clear regression. It's based on the 1776 treatise of Adam Smith, *The Wealth of Nations*: Let everything come out.

We're in 1994. We need a modern economy. We need to have an economy that looks at the very successful countries, that looks at Japan, at Germany. How do they do it? They develop partnerships. They develop partnerships between government, the private sector and labour. What have we been doing for the last few years here in Ontario? We've been doing those types of things. We have been developing partnerships etc.

Let me say too, though, that a couple of the proposals in this so-called Common Sense Revolution really concern me. Non-priority spending areas: The member made reference to some grants given out by the arts council. We know the arts are going to be gone: arts and culture funding, 20% across the board because that's not identified as a priority. There's no mention of agriculture. What about all of rural Ontario? The Tories ignore it. They don't care. They don't think anything happens in rural Ontario. They don't know what's going on. I'm shocked at the member for S-D-G & East Grenville. Where's his presence in this document? It's not felt; they've shut him out. They don't care about rural Ontario. They don't care about the farmers and the agricultural community.

This is not a Common Sense Revolution. This is some type of 17th-century, 18th-century document that is totally out of date with the realities of today.

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**Mr Steven Offer (Mississauga North):** I was listening to some of the comments from the member for York Mills, and a number of his comments alluded to the previous government's record. While everyone can always become better, it is important to remind the member of the record of the previous Liberal government and also take a look at some of the record of the Progressive Conservatives when they last were in government. If we take a look at some of those actual numbers, I think we'll find that things aren't actually the way they're sometimes made out to be.

In the five years the Conservatives last were in power, from 1981 to 1985, the unemployment rate was in the area of 8.7%, and they created something in the area of 64,800 jobs. When the Liberals were in government, they created 112,000 jobs, and the NDP, in three years, have lost something in the area of 40,000 jobs.

When we take a look at the average deficit—and the average deficit is something which the member for York Mills is acutely aware of—we see that the average deficit for the Conservatives was \$2.7 billion. The Liberals

reduced that to \$1.9 billion, and the NDP took that up to \$11.14 billion. These are the actual numbers.

We must also remember the words of the Provincial Auditor, who has said that the last year the Liberals were in total control of the budget was the first surplus in the budget in the previous 15 years.

I think the records of governments and the numbers speak for themselves.

**Mr Chris Stockwell (Etobicoke West):** I want to talk about what the plans are for the future, rather than talking about the history of the parties. We could end up with a huge debate about who did what etc, but I think we all agree that this government has been a disaster and that the two other parties are going to be fighting each other to see who's going to form the next government. That's a given. What I want to talk about are the plans and programs and initiatives we're putting forward today.

**Mr Sutherland:** What arrogance is creeping in. You get more and more arrogant every day.

**Mr Stockwell:** If the member wants to classify tax reduction and spending reduction as some kind of 18th-century backwater logic, he can. But my gosh, when I travel this province, people are asking me about taxes. They want them reduced. They're talking to me about spending reductions. They're saying government employs too many people. They say government spends too much money. If anybody's out of touch, it's got to be the member for Oxford, because he still believes that his government's popular. That's what I can't understand. You're not popular and your policies aren't popular. Your approval rating is clear.

What we have offered is a timely document that deals with taxes, deals with spending and deals with the need. Yes, we talked about a 20% reduction across the board. We said this was important, excluding health care and in-classroom money and law and order.

You want to talk about Agriculture and the other ministries, I say to the member for Oxford? Yes, we're going to reduce them, but you can't continue operating at double-digit deficits and taxes higher than any jurisdiction in this country. You can classify that any way you want as 18th-century thinking, but, my friend, when you go on the campaign trail you're going to be shocked, because those 18th-century thoughts are the ones Ontarians are talking about, not your half-baked socialist ideology.

**The Acting Speaker:** Questions and answers?

**Mr David Johnson (Don Mills):** I'd like to congratulate you, Mr Speaker, for assuming your new and lofty position.

I think the member for Etobicoke West and the member for York Mills are correct to focus on the future. The future is the problem that we must address together. I'm very appalled by what I'm seeing. We're being dragged back to the past, dragged back to commenting on the Liberal spending being twice the rate of inflation and that sort of thing, but we really should comment on the future.

The member for York Mills has focused on that, his concern for the deficit this year, which will probably be

reflected tomorrow at between \$8 billion and \$9 billion, thereby incurring a debt by the end of this fiscal year of almost \$90 billion in the province of Ontario.

Already the people of the province pay over 16 cents of every dollar of revenue just for interest on the debt of the province. That debt doesn't count the debt of Ontario Hydro, it doesn't count the unfunded liability of workers' compensation, it doesn't count the unfunded liability in the teachers' pension fund and the pension fund of the employees of the province of Ontario, nor does it count liabilities assumed by crown agencies. When you throw them all together, our provincial debt is probably more in the vicinity of \$140 billion. It is a great cause for concern.

The member for York Mills has said that the way to get the deficit under control in the future is the plan that's been put forward in The Common Sense Revolution. I hope the members of this House are listening, because I know the people are listening: cut spending, cut taxes, encourage the economy to grow, encourage job creation. Those are the steps we need to be taking, those are the steps laid out in The Common Sense Revolution, and that's what the member for York Mills is speaking to.

**The Acting Speaker:** The member for York Mills has two minutes in reply.

**Mr Turnbull:** I'm pleased that a couple of my colleagues commented on the fact that we're not being very wise in looking backwards. What we have to do is solve the problems of today. These are not 18th-century solutions. These are solutions—reducing taxes—that have been used around the world in the last few years, sometimes even by socialist governments, and they have worked. The fact is, we've hit the tax wall.

*Interjection.*

**Mr Turnbull:** For all the heckling we get from the member for Oxford, the fact is that he probably hasn't read The Common Sense Revolution. I would say to anybody watching this debate that what they should do is form their own judgement, not my opinion, not the member for Oxford's. They should phone our 1-800 number, 1-800-903-MIKE, and get their copy of The Common Sense Revolution. Go through it and comment on it. Tell us what you believe. I'm sure not everybody who reads it will agree with us. You know something? That's life in the big city. If you try to be all things to all people, you'll be nothing to everybody.

1620

The fact is that we have burdened our young people with tremendous debt, and we must make Ontario attractive again so there will be jobs, so our young people are not driven out of this province to go to other provinces and to US states. We want to keep them here and we want them to be able to grow up in the healthy, marvellous environment Ontario has traditionally offered. We want to have a strong health care system again, and we want to have an environment where hard work is rewarded, not the kind of environment where the government is doing crafty little deals in the Bahamas to chisel the federal government out of tax revenue.

**The Acting Speaker (Ms Margaret H. Harrington):** The member's time has expired. Further debate?

**Mr Bradley:** Thank you, Madam Speaker, for the opportunity to participate in yet another debate on yet another tax bill. I should mention, for the people who may be watching, that this is the last budget we're talking about, where this was a matter of some concern. This has nothing to do with the present budget.

I want to deal primarily with the future. I listen in this House from day to day, particularly as we get closer to that event called a provincial election, and I hear people across the floor and in the third party, even in this party, talk a bit about the past. It's important that we dwell on what we're going to do in the future in our province, in the present and into the future, to deal with the challenges that confront us.

The members of the Conservative Party almost always try to wrap something into the speech that has something to do with the previous Liberal administration. I have had people say to me as I encounter them, "You would almost think you're still in power." Here it is four years into office for the NDP government and the Conservative Party is still talking about the Liberal Party as though it were in power. Now, it may be that they're yearning for the good old days when we had unparalleled prosperity in Ontario between 1985 and 1990—maybe that's what the Conservatives are harking back to—but somehow I don't think their speakers are really doing that.

I could go back, because I've been in this House since 1977, to remember tax increase after tax increase after tax increase brought forward by one Conservative finance minister after another. I could talk about the fact that there were some rather frivolous expenditures that took place in that period of time. One of them that comes to mind immediately, and members of the House who were here would recall, and others perhaps through the news media, is that the government of the day under Premier Davis was going to buy a new jet for the comfort and convenience of the cabinet, the Premier and senior government officials. Indeed, I'm convinced that in his heart of hearts the present Premier, and perhaps previous Premiers, would like to have seen that go through, because the Ontario delegation often flies in commercial airlines or in the Ministry of Natural Resources turbo-prop.

**Mr Stockwell:** On a point of order, Madam Speaker: I don't think we have a quorum.

**The Acting Speaker:** Would the clerk please determine if a quorum is present.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

**The Acting Speaker:** Call in the members. This is a five-minute bell.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** The member for St Catharines may resume the debate.

**Mr Bradley:** I thank the member for Etobicoke West for ensuring that there's a larger group of people in the



House to listen to the speech than I might have anticipated. He's very helpful in that regard.

At the time, I was talking about the jet and how the Conservative government of the day was going to purchase this jet, something not many people had in those days. We were in the midst of an economic crisis, about 1982 or 1983, in the midst of a recession, with the highest deficit in Ontario history at that time, a very high rate of unemployment, and the Conservative government of the day wanted to purchase a jet for the comfort and convenience of the cabinet.

**Mr Stockwell:** I thought you were going to talk to the future.

**Mr Bradley:** I'm not going to dwell on that for any length of time because I don't think we should necessarily dwell on that, or I could talk about the 37.5% increase in OHIP premiums that was brought in by W. Darcy McKeough, the former member for Chatham-Kent, Progressive Conservative, that had to be rolled back eventually on the pressure of the Liberal opposition of the day.

I look as well at the sales tax that I think, in this province, was introduced by a Progressive Conservative government; 7% of it belongs to the Progressive Conservative government. I think there was an additional one percentage point that came on under a subsequent government, but the Progressive Conservative government had the 7% sales tax in this province. There were tax increases after tax increases, and people in the opposition opposed those tax increases of the day. But I guess the government felt that in order to finance the programs that the people of the province desired that day, it had to increase those taxes. So, if I could count them up, there were probably well over 100 tax increases within the Davis administration, those days.

I don't want to dwell on the past, because I think it's important to look to the future, and that I'm going to do. I believe that in this province we're in different circumstances—I guess we're always in different circumstances—from what we were in 1974 or 1984; now in 1994 we're in different circumstances. We're in much tougher competition today for investment, and a lot of that is because the world has changed substantially. Some countries which were once considered to be Third World countries, countries which had not been developed—they were developing countries, I guess we would call them—are indeed today, for want of a better word, First World, or developed countries, industrial countries. They are providing some very stiff competition for us. South of the border, they are scrambling for every investment dollar that they can get. So when you're trying to look at your tax regime, you have to take into account what the atmosphere is of the day, what the circumstances are of the day.

What the government presents in this bill—there are parts of it that are certainly supportable; that which calls for some decreases in certain sectors is certainly supportable. But even some of the other measures in certain circumstances probably would have been accepted. In a boom economy I don't think people could complain about it, or in times many years ago when we didn't have tough

competition for the investment dollar I think you could have justified some tax increases of this kind. My concern today is that with that very tough competition—and I don't like it; I wish it didn't exist—it's hard to be introducing new taxes that are going to in some way discourage people (a) from keeping their investment here in Ontario, and (b) from bringing investment to Ontario.

I'm encouraged every time I see any new investment come despite what has happened. Unlike some who may say, in opposition, of course, "People always believe that you hope for the worst," I don't for our province. I think that every time we can attract a new business—and I encourage anybody from other countries or from other provinces or within this province to invest in our province, because I think ultimately we'll have a good future—while I do that, I know that they are deterred to a certain extent by sometimes uncertainty and sometimes by tax measures of this kind.

The NDP put the whole issue to a commission. They call it the Fair Tax Commission. I call it the NDP tax commission, because I never use those words like "fair" or "social contract," things of that nature; I use what they really are. But the commission, which has some people who don't speak for the government line, some people who certainly don't because they're left of the government line these days and some who are right of the government line, had a difficulty in coming to a conclusion that we should have a corporate minimum tax.

If I went down my street and knocked on doors and said to people, "Do you think there should be a minimum tax that all corporations pay that make a profit?" I bet you everybody would say yes. At first glance they would say yes. If you said, "There's a fairly good possibility that this might discourage investment, that there are better ways of closing loopholes that might more fairly get this money from a sector that perhaps should be paying in some circumstances, I would suspect if they looked at it in detail they might not be so enthusiastic about this bill and this tax.

1630

They look at examples of government waste when taxes have to be paid. This is, the government would like to say, arm's length. When you're in government, Hydro is always arm's length; when you're in opposition, Hydro is part of the government. That is a political reality of the day. But even the government members, I'm sure—and I'm going to say this again because I continue to get some calls from people—are annoyed with the advertising that Hydro is doing today, saying, "The new Ontario Hydro." They don't really have much competition in Ontario; a few places compete with them, but not much competition. To see a new-Ontario-Hydro type of advertising going out is rather annoying when they have increased rates in years gone by and are trying to hold the line.

I am opposed to that. I can't think of anybody in this House who would be in favour of that. I guess the people in the management end of Hydro are because they want to portray Hydro—and it has had an interesting history in Ontario. It's provided some good things for this province. It's cost us a lot of money at the same time.

But I wanted to get on record what I consider to be a squandering of money, and that is the advertising by Hydro. If they said, "Here's something specific you can do which would cut back on the amount of energy you use," that's of some benefit; there's something specific that they can do. But if they're simply saying, "We're doing a good job; we're different," that is not much use to anybody.

We in the opposition have suggested that over the next three or four years, or five years perhaps, we should try in this province to reduce taxes by somewhere around 5%. I would really love to be able to stand up in this House with a straight face and say 30%, but there isn't anybody who is going to believe me if I said that. I don't think it can be attained. It's catchy, it's attractive, and when it's done the day after I have to fill out my income tax, I'll tell you, it certainly makes it appear to be an attractive proposition.

When we sat down and did a lot of calculations as an official opposition and came forward with a proposal for a 5% cut, even there I thought there would be some people who would say, "Gosh, that's going to be hard to achieve if circumstances stay the same." But when I heard 30%, I'd be tempted to vote for that if I didn't know what circumstances are facing our province, if I didn't know that senior citizens at Linhaven Home in St Catharines would as a result have services reduced.

As everybody here knows, the government has been in a cutting mode. Those of us in opposition can suggest some other ways where government can cut, but I'll tell you that the government has had to do a lot of cutting. I can't think of a New Democrat sitting on the government benches who, with any pleasure, sees the Treasurer and the chair of treasury board making the kind of cuts that he has had to make. I don't think anybody wanted to see that. I didn't want to see it either, but it's a reality of the day. In specific cases some of us in opposition will oppose that, I think with some justification.

But if you want to talk about further cuts, I'll tell you that a lot of the further cuts could come in the field of social services. When I hear, "We're going to exempt education in the classroom," when I hear, "We're going to exempt health, we're going to exempt crime," and so on, "and we're still going to get \$4.5 billion out," by gosh, that's a miracle to be able to do that.

I think we owe it to the electorate, to the people we represent, to come forward with some realistic proposals looking at the actual circumstances in Ontario and not simply trying to outmanoeuvre an extreme right-wing party or trying to attract people to something that sounds, in a very simple sense, very attractive. I think people have to be responsible going to the folks out there, and I don't think you can fool people with that. I think people know we're in tough circumstances.

I want to know, when I see a tax measure brought in—and this is hard for government to calculate, but it's becoming a bit easier—what the real return is going to be. Look at the number of times that all governments have raised taxes, the sin taxes: cigarettes and alcohol and anything else people consider to be frivolous or non-essential.

It was always an attractive area, because they were not particularly beneficial to society directly when people consumed either tobacco products or alcoholic products. But we reached a point—and I guess it's really tough to know when that is—where there was a diminishing return. I remember when the present Treasurer, Mr Laughren from Nickel Belt, raised a number of taxes and he put his target out there—"I want to raise \$2 billion," or something of that nature—and it fell significantly short.

There's not a simple reason for that, but one of the reasons is that it isn't necessarily going to raise new funds when you put new taxes on. People start to avoid those taxes or people quit purchasing. Which one of us in this House, except in exceptional cases, spends more money today than we used to, when we don't have to? I mean discretionary spending. People are spending less today.

In this case, in this House, it's because the members have had their pay frozen for six years and have had a pay cut of 5.5%, we all say proudly. Many people out there, then, don't have as much discretionary spending, so they're much more careful in how they're going to spend. You don't always get the anticipated recovery of taxes when you raise them, whether it's income taxes or whether it's sales taxes or any other kind of levy.

Where the government has moved very extensively is into the field of specific charges. You don't see this until you have to pay that charge. In some cases, I think there'd be a consensus out there that some of those charges are justified. Let's not say they're all not justified. When they're raised in a very modest way, there are others who would say: "That's a service government provides. Perhaps all the taxpayers shouldn't pay for that." There's some consensus behind that. But when governments pick areas where it simply is gouging, that's what gets people resisting.

I met a person who's in the car repair business, for instance, who has new forms to fill out. There were all kinds of new, additional costs to go with these forms, with nothing new to be gained. Carman McClelland, the member for Brampton North, who is the critic for the Liberal Party in the field of Consumer and Commercial Relations, brought out the issue of the corporate filing each year that everybody has to file. All the members are getting mail on that that's annoying. Again, I suspect, for the amount of money it brings in it's not worth it.

I wouldn't be surprised if the Treasurer, just as under opposition pressure he withdrew part of the tax on auto workers, which I called the gas guzzler tax—he modified that under pressure from the Liberal opposition and others, including Bob White. We may see a change in this as well. We saw it on the brew pubs as well, the you-brew circumstances, where they withdrew there. That made sense. I congratulate governments that are prepared to admit they're wrong and make those changes when the opposition has clearly pointed out where they're wrong. I'm not totally negative today at all; I'm complimenting the Treasurer when he admits he's wrong and does the right thing.

I'm concerned about something else happening out



there, and I hope the government members are as well, and that's the use of pension funds today in a way that I think could be detrimental down the line. We encountered a situation while we were the Liberal government where the funds going into the teachers' superannuation funds were determined by three different actuaries to be insufficient. There was a great campaign, particularly by the Ontario Secondary School Teachers' Federation, the Ontario Teachers' Federation, which pointed out that the government didn't have to worry about it; that this was a problem that could be easily solved.

The easiest way to solve a problem is to avoid it, so we could have simply said: "Oh, don't worry, it's fine. Don't worry about that tax fund. It doesn't matter that in the year 2007 it will go broke because it hasn't been appropriately funded over the years when it was indexed by the Bill Davis government. That it's going to go broke, that's fine, because we probably won't be around then." The group of politicians wouldn't be around then. That's one course of action that could have been adopted.

1640

Don't think again that politically it wasn't attractive. It was a very attractive route to take, but the government couldn't in all conscience do that and therefore required an increase of 1% on the part of the teachers in the province, many of whom are very good friends of mine, and the taxpayers of this province, represented by the government, would also have to add 1%. The amount of money going into the teachers' superannuation fund was larger than the amount of money going into the Ministry of the Environment. It was getting huge increases in those days. Today it's getting cutbacks, but it was getting huge increases in those days. Yet there was a lot of fire directed at the government.

I think the same thing might happen—I hope it doesn't—with what the government is doing with all these pension funds now. They're borrowing from them now to ease the pain and to make the deficit look better. While in the short run that may serve its political purpose—it may even serve a non-political purpose as well—I think it's a dangerous course upon which to embark. My friend Gerry Phillips, the member for Scarborough-Agincourt, has spoken at some length on this and I think one should go back and read his speeches and look at the cautions he puts out there.

I don't pretend there are easy economic answers, but I think the government should tread very carefully when it starts borrowing from these pension funds. We may find that there's not sufficient money. There may be for some of the people who are just about to retire, but well down the line, I don't know if there will be sufficient funds to look after the pensions of others, so I caution the government on that.

I want to say, while I have this opportunity on a tax bill, which allows a certain degree of flexibility in the discussion, that the Lincoln County Board of Education has not been amused by the Minister of Education's edict coming down on the amount of money it's going to receive, nor has the Catholic school board in our area, the Lincoln county Catholic board. The reason is that they did not anticipate they would be getting so much less

money from the government.

We all recognize first of all that it's a very complicated funding formula. I suspect even the Minister of Education doesn't understand the funding formula. If he does, he's somewhat of a genius, because there are so many complicating factors to it, weighting factors and so on, that it's difficult to understand. But one thing the people of St Catharines and other parts of Lincoln county will understand is that they're going to have to pay more taxes this year or see even further cutbacks in education, because just this past month they heard they'd be getting \$2 million less than they had anticipated from the provincial government. I know they will not be happy. They've already expressed this. They've used words like they're "astounded" by this.

What happens is that it's because the assessment has gone down in some other areas, apparently. Market value assessment has brought down the assessment in other areas, and it's come up in the Niagara region. Anybody who looks at the news at all knows—Madam Chair, you're from Niagara Falls, so you know this—the Niagara region has faced really difficult economic times. To suggest that we haven't felt the impact, which the funding formula does, is unrealistic.

I notice the St Catharines Standard—I don't have the editorial in front of me—wrote an editorial, or at least Paul Forsyth, who is a writer, did an analysis piece which dealt with this. He in effect said that it is unrealistic—certainly I contributed to that article by agreeing with those who had said the problem is that the formula—I'm not saying the minister's trying to be mean to the Niagara region. He's not, nor is the government, but the formula doesn't take into account the fact that we've had so much unemployment that so many people are simply unable to pay their property taxes, and it's extremely onerous on the Niagara region.

We need yet another weighting factor in the Niagara region to provide the kind of funds that we need to operate a good education system, and that must take into account—

**Hon David S. Cooke (Minister of Education and Training):** Why didn't you do it?

**Mr Bradley:** The Minister of Education intervenes and says, "Why didn't you do it?" Of course, in those days, things were booming and the board of education was not complaining. They were getting 7% and 8% in those days and they were not being cut back as much and they were providing service to students who needed special education services. They were able to do that. But today they recognize that when they face such tough economic times, what they need—I'm sure Niagara Falls would say the same—is more consideration from the government because of the fact that we've encountered economic difficulty in our part of the province.

I certainly hope the minister listens to that and encourages the Treasurer to do that, because we wouldn't want to see this government downloading. They point fingers at the federal government many times about downloading, but of course the federal government must have learned this from the provincial government, which has been downloading to municipalities at least over the last three

and a half years, probably not before that but certainly over the last three and a half years.

**Mr Stockwell:** Courthouse security.

**Mr Bradley:** On courthouses, the government has put some money into that. I want to say something about that, because when we're looking at revenues to the government and expenditures, one interesting fact that the Premier never brings up, when he rails on in his new campaign to blame everybody else but himself, is he never points out that the largest portion of infrastructure money coming from the federal government comes to—guess which province?

**Mr Stockwell:** Ontari-ari-ari-o.

**Mr Bradley:** The member for Etobicoke West, out of his seat, still knows it's to Ontario: the largest amount of money.

Now, I saw the Premier. The Premier was here yesterday, large as life. Large as life, the Premier was here yesterday, signing an agreement with Premier Daniel Johnson. We all know the Premier when he plays his game of let's bash the feds, which is a popular game over the years—popular game as he gets close to election—bash the feds, bash the opposition, bash previous governments, bash the banks, take no responsibility for his own jurisdiction.

While he was doing this, I didn't hear—maybe no one asked. Did anyone ask him to use the example of Shawinigan and Hamilton with the Premier of Quebec sitting there, our national-thinking Premier? No, he didn't use that, and I don't know why, because he uses it here, and when he goes into the union halls of the province to bash the federal government, he uses it there. He uses it in a way that the Tories, who were well known for the dog-whistles of the old days, the code words of the old days, used to bash Quebec, because it's good politics to bash Quebec. It's good politics to bash the federal government and Quebec.

I remember when Stephen Lewis, the silver-tongued orator of the NDP, the person who many people said should have been the national leader of the NDP, used to in his most sombre tones chastise the government of the day for using that cheap political trick of bashing Quebec. He would use it all the time.

You notice the Premier doesn't use British Columbia. You notice the Premier doesn't use Alberta. You notice he doesn't use Saskatchewan or Manitoba or Newfoundland or New Brunswick or Nova Scotia. He uses Quebec all the time. That's great politics, and if a person wants to be a great street-fighting politician, that's good politics. Whether he comes to St Catharines or he's in York South or he's in Moosonee, I'll tell you something, that's good, smart politics.

But it's not the Bob Rae I knew. It's not the Bob Rae I knew in this House, it's not the Bob Rae I read about in his days as a dynamic student at the University of Toronto, it's not the Bob Rae who was praised by Stephen Lewis and others, it's not the Bob Rae who attended federal-provincial conferences and played a very constructive role, and it's not the Bob Rae who I heard make some extremely eloquent speeches in this House,

with a national flavour. It's a different Bob Rae.  
1650

I was surprised there were no questions directed yesterday as the agreement was signed with Premier Daniel Johnson. I think some member of the government mentioned, in a certain bill he's bringing forward, that what the people want to see is governments working together, and I suspect that's the case.

I'm not one, although I made the case on behalf of the Lincoln County Board of Education and the Lincoln County Roman Catholic Separate School Board to the minister, who encourages local levels of government to bash the province. I don't do that because I think they're tough economic times and the people I have out there want them to work together. I made a pretty parochial appeal to the minister, an admittedly parochial appeal, because I think it's justified, but in general I don't encourage that because I think the public doesn't want local levels of government to simply dump on the provincial government constantly, and I don't think they want it to work between the federal and provincial governments either.

As for this piece of legislation, it's probably ill-timed. There are some parts of it that are good and supportable and some parts that are not. Unfortunately, that's what compels opposition parties to vote against legislation when there are parts with which they cannot agree.

**The Acting Speaker:** Questions or comments?

**Mr Sutherland:** I'm pleased to respond. I was a little disappointed that the member for St Catharines is now being the apologist for the federal Liberal caucus from Ontario in terms of why it's not standing up. From my sense of what I'm observing, what the Premier is doing is simply standing up for the interests of the province of Ontario.

He cites why we mention Quebec, and I think it needs to be on record that its population is closest to ours, the size of its economy is closest to ours. In terms of what the federal government is providing for that province and seeming to be listening to their concerns, why isn't it also listening to ours?

I also want to talk about the minimum corporate tax. In commenting on some of the contents of the so-called Common Sense Revolution by the third party, the member for St Catharines didn't make any comment as to the fact that while the third party is opposed to this bill, nowhere is it mentioned in the Common Sense Revolution that it's going to remove the corporate minimum tax.

Maybe that's because they recognize the fact that this corporate minimum tax really impacts less than 3% of the businesses in the province of Ontario, and some of the rhetoric we've heard opposed to it, that it's going to kill small business or that it's somehow going to stop investment from coming into this province, just isn't quite the case. In reality, what it's saying is, that yes, while there are other incentives there for corporations to invest and create jobs, there still is a responsibility for them to pay some taxes, and that's how you help to develop a very fair taxation.



I'd be interested if the member for St Catharines could comment, and see whether he feels that's why the third party, in its Common Sense Revolution, has decided that this is a good piece of legislation, that it does relate to fair taxation, and that that's why they've made no mention of it in their document.

**Mr Hans Daigeler (Nepean):** I must say, I always enjoy listening to the member for St Catharines because he has a lot of wisdom acquired over the years, being first elected in 1975—

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** It was 1977.

**Mr Daigeler:** I stand corrected, almost 1975. What he does so well is combine the concerns of his riding with the larger concerns across the province. I think he does that very well at every step, and he did it today again.

I must say that I also admire his restraint with regard to matters of environment, because I can certainly tell you that the member for St Catharines might have been in favour of this bill that we have in front of us if the government had said, "We're going to put these taxes we're collecting towards environmental improvements."

I certainly remember the member for St Catharines, when he was the Minister of the Environment, being under constant attack from the NDP for not doing more on the environment. If there was a minister who was doing more than any minister in Canada with regard to the environment, it was the member for St Catharines, and he must be really biting his tongue when he sees the environment being given such short shrift by this current government, and even by the Tories in their famous new document. As I say to people in my own riding, while this may not be as popular, it will come back, and I'm sure the member for St Catharines will continue to lead on that. He will speak out on those things and he will make sure that some of the money that is being collected through this bill will be dedicated and oriented towards his lifelong love, the environment.

**Mr Stockwell:** I have one quick comment about the previous speaker. Does the tire tax ever come to mind?

I want to talk about just one aspect of the minimum corporate tax, and maybe the member can comment. It seems to me that if you're interested in introducing a minimum corporate tax, there are a couple of prerequisites you must hurdle before introducing the bill. You must ask yourself, are the people in business today in Ontario undertaxed, evenly taxed, or overtaxed? If the answer is evenly or over, there is probably not a lot of need for this bill. The second question you've got to ask yourself is, will this bill enhance opportunities for employment, maintain the same levels, or detract? If the argument can be made that it could detract, the argument must be put forward that maybe there's no need for this bill.

I submit to this House that a minimum corporate tax levied today on businesses in Ontario—those businesses are already taxed to what I consider the limit. Therefore, it shouldn't be here. Second, I don't believe this tax will do anything to produce a better environment to create jobs. Therefore, I would suggest, it will do things not to

create jobs. By paying more taxes to the government, it takes money out of businesses' hands that they can use to employ more people, reinvest or expand.

It's a very simple argument, I believe. This particular piece of legislation will take more money out of the private sector, take more money out of private citizens' hands, and put it into government hands. I fundamentally believe the private sector is a far wiser and better user of its money than government, and I will vote against this bill solely for those two reasons.

**Mr Bernard Grandmaitre (Ottawa East):** I agree with my colleague from Nepean that the former Minister of the Environment was a very special minister. I sat in cabinet with him for four years, and I can tell you that he didn't approve of the tire tax. He didn't like it, I'll be very honest with you, because it wasn't dedicated to improve the environment, and Mr Bradley was the first one to speak against it.

**Mr Stockwell:** That's a cabinet secret.

**Mr Grandmaitre:** Not exactly. We're out of government now so we're an open government. We don't have any secrets. Now the secrets belong to the members of the real government.

Any time we talk about a tax bill, it's a painful matter to all parties, for the simple reason that people feel they're overtaxed in the province of Ontario. I think we have reached the point of no return. We have to re-examine the way we budget in the province. I realize we have serious needs in education, social services and health care, all of these great things, but I don't think we can continue to tax people and have the government spend 25% more than it takes in.

It's only wise advice from our side to tell the government that 25% in excess of our revenues is unacceptable. We have to find ways to work together and find solutions to our problem, but what the government is doing at present is finding more obstacles to create more problems, which is unacceptable to all taxpayers.

**The Acting Speaker:** The member's time has expired. Now the member for St Catharines has two minutes to respond.

1700

**Mr Bradley:** I am overwhelmed by the compliments that have been forthcoming from members of the House today. It doesn't happen all that often.

We probably wouldn't need increases in taxes if we were better able to manage the whole system. The Minister of Community and Social Services is here. He'll be interested to know that he and I and the leader of the Conservative Party were all chastised, in a guest column which appeared in the St Catharines Standard a couple of weeks ago, for welfare-bashing, it was called. What people will have to recognize—and the minister has recognized because he has to wrestle with a major problem. What everybody is looking for today is to target the social spending to those who are most in need of that social spending. That's not what people would like to do; we would like to make it much more generous. When I hear people attack the Minister of Community and Social Services for that, I think the people are being unfair and

are being inaccurate when they do so.

One of the things that would mean we wouldn't have to have taxes of this kind would be a better targeting of the spending resources that are out there to people, trying to get them back to work as our main goal, and also better trying to help those who are genuinely in need.

As to the member for Oxford, he's a very gregarious individual. What is sad to see, I must say, is a bright, intelligent, outgoing individual having to bring forward the government line on every occasion. It's a function of being a government backbencher, but it is sad to see it, because he's probably got some good ideas there and he probably feels that some of the things the government is doing are not quite right. I hope time will change that individual.

**The Acting Speaker:** Thank you. The member's time has expired. We are now further debating Bill 146.

**Mr Stockwell:** Being a tax bill, this does allow for some wide-ranging debate, and I'd like to pick up on a comment made by the member for St Catharines.

I can agree with a lot of things the member says. In most issues, I find his logic sound and relevant. Where I tend to move off the track in terms of most of the elected officials in this House—not my party but across the floor and in the opposition—is the thought prevailing out there, particularly federally and again I hear it provincially, that if we can spend a little smarter and we can allot the money a little more carefully, we can somehow put our fiscal and financial house in order.

I'd like to explain here today, in no uncertain terms, that won't work. Anybody who tries to tell the general public that we can somehow spend differently, spend smarter, take the money we spend and spend it more efficiently and thereby create a saving and create fiscal stability, is wrong. They're dead wrong.

We are long since past the stage where tinkering will work, long since past the stage where financial voodoo is going to carry the day. That's why we came out with this report yesterday. I myself am very happy and proud of the fact that we came forth with what I consider to be a controversial document but a document that sets down our priorities. I understand that across the floor they are not going to embrace these. I understand it. It's not part of their political philosophy to embrace what we are bringing forward.

**Mr Gilles Bisson (Cochrane South):** Can you explain it, Chris?

**Mr Stockwell:** I will. There are going to be some dramatic cuts in government.

**Hon Mr Buchanan:** How many rabbits are in the hat?

**Mr Stockwell:** I say very carefully to the Minister of Agriculture, Food and Rural Affairs, and I will say very clearly to him, the cuts that are going to be made are going to be difficult, they're going to be burdening, and it's going to be tough. It's going to be tough on the government of the day and it's going to be tough on those people receiving the cuts. When you make the kinds of cuts that are included in this thing in welfare, welfare recipient cuts, there will be pain. I don't deny it.

People are going to have to figure out a new, innovative way of dealing with their financial concerns.

When you talk about laying off, through attrition, straight layoffs or contractual agreements, some 13,000 employees, that will be painful. It will be painful to the people getting laid off, it will be painful to their coworkers and it will be painful for the government.

I hearken back to the first point I made. The point I made was, tinkering won't work. The idea that you can somehow spend smarter isn't going to work. The leader of the Liberal Party standing up in the House, as the Minister of Education so aptly put it one day, having a policy that says, "We believe in a better education system," can't cut it any more.

We have an accrued debt in this province of \$140 billion. I'm certain across the floor and out to the broader audience, they don't understand how much money that is. If they do, then I take it back. I'm saying all members. But the broader audience has no idea what that means. I don't believe they can comprehend dollars that large, numbers that big. What they're going to have to understand is that if we ever hope to achieve some kind of fiscal sanity, if we ever hope to achieve a day again where our payments for borrowing don't exceed every budget item except two, we're going to have to do something about it.

**Mr Bisson:** Can you explain it, though, Chris, in detail?

**Mr Stockwell:** I'll try. That's why I'm going through it.

That's why bringing forward this budget report, the Common Sense Revolution, whatever you want to call it, is so timely and important. I say not just to the government benches, I say to the Liberal benches as well, if you don't think it can be done or you think it goes too far, then bring forward your recommendations. We challenge you.

I say to the government members, I know you don't like it, but this is our policy and this is what we believe in. We don't believe we can continue going \$10 billion in the hole every year and maintain any kind of fiscal stability. It's virtually impossible. You get caught in the debt spiral and you can't get out. This government can't get out.

I've said it before and I'll say it again: The biggest mistake this government ever made, of any issue it dealt with, of anything it did, was its first budget. They institutionalized double-digit debt, and the double digit is billions. They've spent the last three years trying to figure out a way to get that money back that they gave away in their first budget.

The Minister of Agriculture, Food and Rural Affairs will tell you. Minister upon minister will tell you. My goodness, the Minister of Natural Resources made an announcement yesterday that he's closing six provincial parks, for heaven's sake, that spend \$300,000. That has got to be a spit in the ocean.

*Interjection.*

**Mr Stockwell:** It's \$700,000, \$800,000? If that's not a spit in the ocean to the debt, what is? That's what



they've gone to, an \$800,000 cut in provincial park campsites.

The Minister of Health, who talks about people travelling outside this province, already having reduced the cost per day to \$400, is now cutting again to \$100. That's what this government's been reduced to.

**Hon Mr Buchanan:** That's fair.

**Mr Stockwell:** I say to the Minister of Agriculture, it may be fair, but it was never part of your party politics. It was never part of your party policies. The reality of the fiscal situation we're in today has created a whole new game. It's created a whole new field from which we can start debating.

In this platform, in this program, we as Conservatives are talking about reducing welfare payments to 10% above the national average. That's a big cut and it's going to affect a lot of people who are receiving welfare payments today.

We talk about a 13,000 reduction in the payroll. That's going to affect a lot of people today.

**Mr Bisson:** Reduce 13,000 what?

**Mr Stockwell:** Jobs.

**Mrs Haslam:** Is this the bill we're debating?

**Mr Stockwell:** Yes, through the commercial concentration tax.

We talk about tax savings, and this is the most important part of this document, I believe. We talk about a dramatic cut in income tax.

**Mr Bisson:** A 30% cut?

**Mr Stockwell:** A 30% cut in personal income tax.

**Mr Bisson:** To the taxpayer?

**Mr Stockwell:** Well, personal income tax, of course, is the taxpayer, PIT.

**Mr Bisson:** Is that 30% of 51%?

**Mr Stockwell:** It's 30% of 58%, taken from 58%. It's a 20% cut in provincial income tax, from 58% to 38%.

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**Mr David Johnson:** Twenty percentage points.

**Mr Stockwell:** Twenty percentage points or 34% grossed up. A 20 percentage point cut from 58% to 38%. When you gross it up, it's 34%.

Now, where does this plan take us as opposed to what the government offers? The government offers what I think has got to be—although catchy. I will admit it is catchy to talk about a minimum corporate tax. It is a catchy thing because they did campaign heartily on this issue and they think there's some mileage still in talking about a minimum corporate tax.

A minimum corporate tax right now, in my opinion, is absolutely the worst thing you could do. You know what? You say you want alternatives; I'll give you alternatives to the minimum corporate tax. You have right now two methods of dealing with corporations. The two methods are this: You give them a tax incentive and then you tax back, so you end up with two separate bureaucracies.

If you wanted to get more money out of the corporations, my suggestion would be, rather than creating a minimum corporate tax and a whole new wave of bureau-

crats, take away one of the incentives. If you really believe that they're avoiding taxes by reinvesting in hard equipment or reinvesting in expansion—and this is the theory, I assume, behind minimum corporate tax. You must think that through some tax loophole they're avoiding paying taxes; then withdraw that. If you really believe that carrying losses forward is wrong, then eliminate loss carry-forward provisions. That way you don't have two separate bureaucracies set up: one to give credit for capital expansion, one for loss carry-forward provisions and a whole different set going forward and saying you have a minimum corporate tax. This, then, would make it a simpler tax program and it would do away with your need for a minimum corporate tax.

I only ask the government, if you don't think corporations are avoiding taxes, why are you implementing this piece of legislation? That has got to be the motivation, I assume.

**Mr Paul Klopp (Huron):** It's a corporate tax on profits.

**Mr Stockwell:** I understand it's a corporate tax. You don't pay tax on anything but profit. So I'm asking you, if they're not avoiding taxes, why are we introducing this piece of legislation? You have to believe fundamentally that somehow, through some process, they're not paying what they rightfully should. If they were paying what they rightfully should, you wouldn't be introducing a minimum corporate tax. So I say to the government, rather than introducing a minimum corporate tax, fix the tax structure so they pay what you think is a reasonable thing to pay.

**Mr Klopp:** That's what we're doing. It's a reasonable thing to have other—

**Mr Stockwell:** This is the point that I think business wants to make to this government. They think it's a reasonable thing to pay. What business is saying is this: "Look, minimum corporate tax is just another angle that's saying, 'We can't seem to get the money out of you the conventional way, we can't seem to get the money out of you with the standard methods we've been using for the last 100 years, so if perchance you somehow can file your taxes and have profit and pay not too much tax, even though you've lived by the rules, lived by the law, we reserve the right to slap a tax on you so you don't get away with paying minimum amounts of tax.'"

**Hon Mr Cooke:** Even Ronald Reagan brought in a minimum corporate tax.

**Mr Stockwell:** Ronald Reagan did a lot of things that I didn't agree with.

So I think this: The minimum corporate tax to me is just an angle that a government uses because it can't seem to get its books straight to figure out exactly what it wants to tax and what it doesn't want to tax. A minimum corporate tax is a broad brush that they paint over all businesses and they say, "You pay this amount, period, case closed, even if you've met all the other requirements for operating in this province."

What are the ramifications of that? I don't know why it is that this government can't seem to understand, but it doesn't seem to understand this: Businesses investigate

when opening plants or locating plants, and when they do investigations, one of the most important things they investigate is, "If we are lucky enough or smart enough or managerially quick enough to make a profit, how much of the money at the end of the day do we get to keep?" That's really important: retained earnings after taxes.

If corporations come into Ontario and see the vast array of taxes they have to live within and at the end of the day they figure they can still make money but they're faced with a minimum corporate tax and they go elsewhere where minimum corporate tax is not applicable, along with labour laws and other interesting things that they want to talk about, what incentive is there for a business to locate in this province? Members opposite, I ask you that: Where is the incentive?

You can talk about all the great programs you're running, you can talk about all the programs you're—

**Mr Klopp:** Good roads, good labour.

**Mr Stockwell:** I say to the member for Huron, good roads, good labour, I don't argue that. There are some good roads and there's a lot of good labour, but it doesn't seem to be working, because a lot of this job creation is happening elsewhere.

The numbers speak very clearly. Some 9,000 jobs were created in this province last year. Tens of thousands of jobs were created elsewhere: in British Columbia significantly more jobs; 50,000, 60,000, 70,000 in Quebec; Alberta.

Something is amiss, something's wrong, and as a long as you continue to say, "No, nothing's wrong," as long as you continue to say, "They don't understand," it's going to continue to wreak havoc in the private sector because the proof is in the pudding. How many jobs did we create? Last year we collectively—we are the Legislature—created 9,000 jobs. With all due respect to the members opposite, that was a bad month in previous governments.

I will say that I do not blame the recession on you, I do not blame all these economic crises that we've dealt with on you, but the fact remains: Apparently this recession is over and it's been over. We're slowly climbing our way back up, but it seems to me that if you look at the numbers and look at the statistics, we are climbing. The question that must be asked is, what is the difference between Ontario and BC and Alberta and Quebec? What is so different that we are performing so badly compared to those provinces?

What we're doing in this province is we're cutting our own throats. We're cutting our own throats by introducing tax measures.

**Hon Mr Cooke:** Show us what you mean.

**Mr Stockwell:** You want to know how come we're cutting our own throats and why it's so obvious to me? It's so obvious because we have a Treasurer who introduces new tax measures and he generates, with those tax increases, less money than he did the year before. Doesn't that strike you as unbelievable? He hiked taxes \$2 billion in his budget and he generated less revenue than he did before with those tax hikes built in.

We created 9,000 jobs in this province when other provinces were creating 50,000, 60,000 and 70,000. Doesn't that strike you as kind of odd? Doesn't it strike you as kind of odd that the tax implications in this province, as compared to the other jurisdictions, are significantly more onerous? Doesn't it strike you that this could possibly be one of the reasons why the other jurisdictions seem to be growing at a far greater and more rapid pace than we are?

If that's not the case, if the tax issue is not the case, if the red tape isn't the case, if the government isn't the case, I ask members opposite, what is it? Why is it we aren't performing? Why are we creating 9,000 jobs when they're creating 60,000 and 70,000? What is it that we're doing so wrong and they're doing so right that it's created this major, major problem? I've not heard an answer.

**Mr Stephen Owens (Scarborough Centre):** Welfare rates are falling for the first time in a number of years.

**Mr Stockwell:** I say to the members opposite that I understand what you're saying, but I say to the member from Scarborough who talks about welfare rates dropping, "Congratulations, I'm glad they're dropping," but all I can measure you on is the performance and indicators produced by the government opposite.

**Mr Klopp:** The free trade deal.

*Interjections.*

**Mr Stockwell:** I hear them say the free trade deal. If it's the free trade deal's fault that we are not performing as well as other provinces, fine, but I can't find anyone other than the few members opposite who are saying that Alberta and BC and Quebec aren't in the same boat, that they're not dealing with the same free trade issue. We are. We are dealing with the same free trade.

**Mr Klopp:** Because they didn't have all the branch plants here. We had all the manufacturing plants.

**The Acting Speaker (Mr Noble Villeneuve):** Order, please.

**Mr Stockwell:** The next point that needs to be made is that they're talking about how we had the manufacturing jobs. I agree with them and maybe an argument can be made that we lost significantly more jobs because of it. Yes, that argument can be made. I don't necessarily think it's true completely. I think there is some truth in it, but I don't think it's total.

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But the question still stands, and it relates back to the minimum corporate tax. I'm not talking about job losses; I'm talking about the creation of work, and the manufacturing sector, through the free trade agreement, has no impact in Ontario as it does in BC, Alberta and Quebec—none. So my position is, what is the problem? I will say, the problem begins in this room.

**Mr Klopp:** Hold up the picture. The problem begins with that picture.

**Mr Stockwell:** The problems, in my mind, are very clear.

**Hon Mr Cooke:** That's true.

**Mr Stockwell:** I can take the heckling across the



floor. I understand why they're heckling: because they haven't got any solid evidence to back up any of the facts and figures they put out.

I ask, what's the problem? Why are we only creating 9,000 jobs? We're retraining people, apparently, for what? Retraining for nothing. Retraining so they can get involved in the next retraining program. So I ask, what is it? I am not opposed to retraining people, but I say to my friend across the floor from York-Durham, I agree, retrain them, but after you've finished retraining them, you've got to have a job for them, and by creating 9,000 jobs last year, you're retraining them for unemployment insurance. What's the point?

I want to get the point that I wanted to make.

*Interjections.*

**The Acting Speaker:** Order, please. The member for Etobicoke West has the floor.

**Mr Stockwell:** This is what I get. They talk about job creation. They say welfare rates are dropping. They talk about retraining programs. Talk about job creation, for heaven's sake, let's talk about job creation.

**Hon Mr Cooke:** Look at the numbers now, Chris. Look at last month.

**Mr Stockwell:** I'll be happy to. You have numbers that are more up to date? I ask the Minister of Education to send them over. I'll be happy to review them.

I say there's a problem that we have in this province that has been taking place for the last 15 years and I blame a Conservative government, followed by a Liberal government, followed by an NDP government. The problem is, we've gone—

**Mr Rosario Marchese (Fort York):** What's left?

**The Acting Speaker:** Order, please. Order.

**Mr Owens:** This is a guy who has no loyalties.

**The Acting Speaker:** Order.

**Mr Stockwell:** I know they say the Reform. I'll say this about the Reform Party. They got more seats than we got last federal election. They got more seats than you got last federal election. Maybe there are some answers that they're offering that are reasonable, but I want to say—

**Mrs Karen Haslam (Perth):** That doesn't make them right, Chris.

**The Acting Speaker:** Order, please. There will be an opportunity for questions and/or comments following the member's participation. Please allow him the opportunity. The member for Etobicoke West.

**Mr Stockwell:** The problem is that we have built in in the past 15 years an incredible amount of tax, an incredible and phenomenal amount of tax; not just businesses—personal income tax.

When you look at the personal income tax levels of this country, we in Ontario rank right up there with the east coast provinces when it comes to PIT. We're right up there when it comes to tax levels. On a corporate tax level, we're right up there with the highest. Cumulatively, and this seems to rise to be great anger, we are the highest taxed jurisdiction in this country; cumulatively

speaking, taking in corporate, personal, all those other taxes, we're the—

**Hon Mr Cooke:** You're absolutely wrong. You're wrong.

**Mr Stockwell:** Can I finish? We're the highest taxed jurisdiction in this country when you're dealing with provinces that are west of the Maritimes. When it comes to Quebec, Ontario, Alberta, Saskatchewan, Manitoba and BC, we are the highest taxed jurisdiction.

**Hon Mr Cooke:** Wrong.

**Mr Stockwell:** The other provinces on the east coast are all have-not provinces and they get transfer payments from the federal government—significant; there are some in the western provinces. But when it comes down to the bottom line, the taxes in this province have either scared companies right out or they're scaring them not to come in. That's why we're not creating any work.

**Hon Mr Cooke:** Ask the auto industry.

**Mr Stockwell:** The Education minister says, "Oh, you're wrong, you're wrong," but I say to the Minister of Education, if I'm so wrong, how come your policies and platforms you put forward have been complete and utter failures? How come you can talk about Jobs Ontario and the hundreds of millions of dollars you've spent and you create 9,000 stinking jobs? That's it: 9,000 jobs year over year. If I'm wrong, then the federal government and Statistics Canada are wrong, everybody's wrong who accumulates these statistics and the Minister of Education is the only one who's right. He's the only one who's right; everybody else in the country of Canada is wrong.

How come, if they're doing such a bang-up job—taxes are reasonable, red tape is reasonable—we can only create 9,000 jobs? You want to know why? Because of the commercial concentration—

**Mr Owens:** Yes, some of those jobs in your riding.

**Mr Stockwell:** Where? I could probably tell you the 9,000 jobs. That's how sad it is. You could probably go through them and list them the 9,000 jobs.

We lost literally hundreds of thousands of jobs in the last three years, they create 9,000 jobs in one year, and they refuse to look at any examples of what caused the mess or antidotes that might fix the mess. The mess has to do with taxes, with bureaucracy, with government red tape, with spending, the fact that we end up spending \$10 billion per year more than we collect. But God forbid they should look at that as an example: "No, that can't be the problem."

We all know what the problem is: the free trade agreement and Brian Mulroney, who hasn't been in government for five, six, eight months. That's always the problem. And if it's not their fault, it's the federal Liberal government's fault. And if it's not the federal Liberal government's fault, it's the opposition parties' fault. If it's not their fault, it's the private sector's fault. If it's not their fault, it's the local government's fault or it's hospital boards or it's somebody else's fault. Never, in all the years I've been here, have they stood up and taken the blame for anything they've ever done, nothing.

Do they ever stand up and say: "Maybe we made a mistake. Maybe \$10 billion was too much to borrow.

Maybe we shouldn't have brought in this tax or that tax. Maybe we shouldn't have dealt with more government red tape. Maybe we hired too many people. Maybe we gave packages of too much for increases. Maybe we did some things wrong in the first three years." No, it's never their fault. We've got the lowest employment growth rate. We've got one of the worst welfare rolls in the history of this country. We've got unemployment rates that are at 20% or 25% in some regions. But ask them to stand up and say maybe they did something wrong in the last three years—not a chance: "It's somebody else's fault. Everybody is out to get us. Everybody doesn't like us, and you're just using that as some excuse to get us unelected."

This government had better understand that when you introduce minimum corporate taxes, when you introduce more taxes in the private sector, on the private individual, they look at those taxes and say: "What am I doing in this province? If I'm lucky enough to make some money, all the government says is, 'Send it in.' That's what the government says."

It's time we address the tax issue. It's time we address the government spending issue. It's time we dealt with the issue that every year in this province we spend about \$10 billion more than we collect. It's time we dealt with the fact that welfare recipients in this province receive significantly more than the national average around this country. It's time we dealt with the fact that we have nearly 100,000 people working in this province directly for the provincial government. It's time we dealt with that fact and got this swelling government bureaucracy down to a workable level. It's time we dealt with the fact that, as a government, we simply spend way too much money.

As long as you argue with me, you're not getting the message from the public, and the public is saying: "You spend too much money. You tax me too much money." They're telling me to cut programs. They're telling me to cut spending. They're telling me we've got to cut these kinds of things, and they're talking about cutting a lot of programs that need to be cut.

I'll tell you something, I say to the members opposite. It means cutting bureaucracy. It means cutting 13,000 bureaucrats. It means cutting welfare payments. Yes, that's what it means. It means cutting education dollars that don't go to the classroom, that go to administrators and consultants. They're saying to me, "Cut the number of consultants at the provincial level." They're telling me: "You've got to cut spending. Don't just tell me you're going to cut it through wiser spending, through playing in the margins." They're telling me to make actual, physical reduction in spending.

**Mrs Haslam:** "But not in my program."

**Mr Stockwell:** Well, I just told you a bunch of programs we're cutting.

**The Acting Speaker:** Order, please. In three minutes you will all have the opportunity to question.

**Hon Mr Cooke:** That's so simplistic.

**Mr Stockwell:** To the Minister of Education, that's a copout. If you think cutting these payments to welfare

recipients is simplistic, it's not; it's tough. And it's not something we want to do; it's something that needs to be done. Cutting 13,000 jobs is not something I want to do either, but there's a certain fiscal reality that you don't get. What you don't get is that you can't keep spending \$10 billion you don't have. And if you don't get it, pretty soon the public is going to give it to you themselves, and they're going to give you the straight goods. The straight goods are this: They're overtaxed, they're overburdened, they're overregulated, and they're tired of government's intrusion into their lives. The sooner this government realizes it, the better off they'll be.

The minimum corporate tax is just another example of this government's misguided thought that you can continue to go back to the well, to the overburdened corporations and personal taxpayers, and drag money out of them. You can see in the last couple of budgets you've brought out that you went back and tried to get money out of people and tried to increase your revenues, and they dropped. Why did they drop? Because they stopped paying. They went underground. They left the province. They said: "I've had it. It's finished, game over."

1730

Unless you deal with this spending crisis and unless you deal with this tax problem, you're going to find a province being vacated by the very people who create the wealth, who run the social programs, who allow governments to do the things they want to do, which is to protect the people who need protecting. If you stop realizing that the private sector and the business groups out there pay taxes to protect the people who can't protect themselves, you're going to end up with a province without a vibrant private sector, that needs to do things to attract investment and provide you with money to do the very things you want to do.

It's about time a plan like this came forward. It's about time we dealt with this spending and tax issue dead-on, because we've had four years of this government spending us into oblivion. I don't want to talk about children's children any more. They're not spending only them into oblivion. They're spending themselves and us and all people into oblivion.

**The Acting Speaker:** Questions or comments.

**Mr Bisson:** It's about time we finally see in this Legislature a clear enunciation of the position of the Conservative Party of Ontario. This is basically conservatism à la Preston Manning.

I really enjoyed the discussion from the member, because he's finally saying what has needed to be said by Michael Harris and the Conservative Party in this province for a long time, that is, what they plan on doing should they become government, should the province of Ontario be unfortunate enough to receive them as government.

They call this a Common Sense Revolution. There's nothing commonsense about it. This is pure, utter—you think we've had people on the front steps of this assembly during the last couple of years over social contracts and expenditure control? You ain't seen nothing yet, if you ever try to do what is being proposed here. This is



simplistic economics at its best.

He uses as an example inside that document the cut in personal income tax, reducing income tax by 30%. It's a noble idea, but it doesn't work the way you see it. Reagan tried that; it was called Reaganomics. When he tried to do that in the United States, it did absolutely nothing to stimulate the economy. It ended up driving that government into higher and higher debt.

What we need are, yes, commonsense approaches to dealing with very difficult problems. If I have to choose, I'll choose commonsense approaches this government has taken, which is, let's try to find ways to share what's left. Rather than putting 13,000 workers—he claims—out of work in the province through the civil service, I would say the numbers you're talking about here are closer to 200,000, and I think you should come clean.

What we need to do is find some commonsense approaches and do what this government has been doing, in which we were able to find \$6 billion in savings last year in the coffers of the province without affecting services in the way you would propose under this plan. This is utter nonsense, what you're proposing.

**Mr Offer:** The member for Etobicoke West has brought forward quite clearly the difficulties the province has found itself in by virtue of the Rae government.

I'm referring to the report by my leader, Lyn McLeod, *Getting Ontario Working Again*, if I could read a few points. It says: "What people do feel...is that the Rae government's 'policies' did indeed make the situation significantly worse than it should have been. They also feel that the Rae government has failed to take the bold new approaches that are required to get us out of this unacceptable situation."

This report speaks to the direction we should take to make Ontario North America's leading economy. We can do this by "charting a bold new course," by "letting the economy breathe," by "redesigning the machinery of government," by "making Ontario 'the home of the best workforce,'" by "providing the tools for the future." We can do this by reducing unemployment to 6% over five years, and that means creating 150,000 more jobs over the next five years than is currently planned. We can do this, as is outlined in this report, *Getting Ontario Working Again*, a report that was the subject matter of meeting people across the province, providing more jobs, setting and charting a bold new course, making Ontario North America's leading economy and effecting a 1% annual decrease in the level of taxation for Ontarians.

This is the type of report that I believe meets some of the concerns that the member for Etobicoke West has outlined, concerns that have been raised and caused because of the inaction of the Rae government. I would ask, Mr Speaker, for you and the member to take time to read this report, because it does chart the course for the future.

**The Acting Speaker:** Further questions or comments? The honourable member for Don Mills.

**Mr David Johnson:** I listened to the member for Etobicoke West and I congratulate him on his speech. I listened to the member for Mississauga North, and I think

we all have the same objectives. I think what the member for Etobicoke West is saying, though, is that the people of Ontario are no longer content to listen to clichés; they're no longer content to listen to comforting words. They want to see the evidence. They have to see a program that works. They have to see the numbers, and those are the numbers that are contained in the Common Sense Revolution, and those are the numbers that the member is putting forward.

It's fine to sit back and say all the things that won't work and galvanize yourself into inactivity, but the member for Cochrane South seems to think that it doesn't make common sense to balance the budget, that that's not common sense. I can tell you that the people of the province of Ontario don't agree with that. They understand that when you're paying \$54 billion a year and taking in revenue of \$42 billion a year, as we did a year or two ago, that doesn't work over a period of time.

It was interesting this morning that there was a press conference from the Ontario Taxpayers Federation. These are people who are representing thousands of people across Ontario and their affiliates across Canada, and they're suggesting that there must be a balanced budget, that's what we must be looking at. To achieve that, they're looking at expenditure reductions but they're looking at no tax increases. The member for Etobicoke West, on this bill, is suggesting that there should be no tax increases.

They're suggesting—and this is the mood of the people of the province of Ontario—that if governments do not eliminate the deficit and then put in place provisions to provide for no deficits in future years, there should be penalties to the Premier and the executive members. That's the kind of mood in the province of Ontario, and that's being reflected by the member for Etobicoke West.

**The Acting Speaker:** We can accommodate one final participant. The honourable member for Fort York.

**Mr Marchese:** I want to say very briefly that the member for Etobicoke West has a great deal of energy, but it exhausts me. It exhausts this whole House, I have to say. What he is doing and his party is doing is, they're building cathedrals in the desert—not to speak of the Liberals as well—with this revolutionary document that they have proposed. They abuse the word "revolution." They discredit a very noble word. They're using hackneyed, bankrupt ideas that have been tried by many governments, including the previous national government we had in this country.

He takes us back to the Mulroney days, where all of the proposals that he speaks of have been tried. Deregulation, free trade, GST and so many other ideas have been tried. Reduction of taxes, overtaxation, overregulation, all of these have been tried by the previous national government.

Mr Stockwell is saying that if we try some of these ideas, cutting down on taxes because we're overtaxed, reducing the paper burden of our small business people and all the others, which is a factor, I would argue, in that, that we will solve all the problems. It's a magical idea; it is not real, it is not based on any fact.

The corporate minimum tax says to corporations that make a profit, and it excludes small business people, "You have to pay your fair share." In the 1950s they used to pay 60% of the taxes; today they pay only 23%. Who is left to pay the taxes? He is asking us, on a leap of faith, to say, "Let's reduce taxes by 20%, and let's not touch any services or health or education." What is left to tax? What is left? If we're going to maintain our services, that plan will not work.

1740

**The Acting Speaker:** This completes the time allotted for questions and comments. The honourable member for Etobicoke West has two minutes in response.

**Mr Stockwell:** I'm not certain if the cathedral's in the desert. I know this government builds cathedrals in the city; I've seen its housing program.

But let me just be clear. You don't understand: You don't have a choice any more. It's over. Your choice of saying, "Okay, we'll tinker here and we'll tinker there and we won't cut here and we won't cut there and we'll continue to spend"—you haven't got an option. Don't you get it? You don't have an option.

I'd like to tell them that if you think I'm tough, wait till you see the world bankers whom you owe the money to. If you think our policy is tough, wait till you go and talk to them. They don't want to hear any yip. They don't want to talk to you. They don't want to hear your clichés. They just want their money. That's what they want, they want their money, and they extract it. They extract it out of you.

Your options are finished. You can't go on spending \$10 billion a year that you don't have. You can't go on running this deficit up into hundreds of billions of dollars. You can't go on pretending to provide services for the people that you can't afford to provide. The jig's up; it's over. You've been discovered. We've all been discovered. The federal Liberals want a hand, because they announce a budget that's going to put \$100 billion in new debt on to the debt, and they want us to stand up and applaud them for some reason.

It's over. Next election, the government that goes in, it's over. You can't do it any more. You had the four years when you could put double-digit debt on the books and you could talk a good game and you could use clichés. It's finished. You're going to have to get real. You're going to have to get fiscally responsible. You're going to have to cut spending. Finished. Case closed. Cut spending.

Now, if they want to go out to the people and tell them for the next five years that they can continue to run a \$10-billion deficit and they can continue to provide the programs, go ahead, because they'll see through it as much as they saw through the last four years. They aren't believing you, the polls say they don't believe you, and you better get it through your head: The spending spree is over; the jig is up.

**The Acting Speaker:** Further debate on the second reading of Bill 146?

**Mr Bisson:** I'm only going to take a couple of minutes in regard to this debate, because I think it's an

interesting one. What we're talking about doing in this debate is that we're talking about being able to deal with—I see the Conservatives are all leaving the House. Just as we get to the crux of the debate, we see the Conservative caucus leaving the House. That is quite interesting. At that point, it was to the benefit of the Conservative Party that I wanted to go through this debate. I will end my debate at this point.

**The Acting Speaker:** Questions or comments. We are debating second reading of Bill 146. The member for Cochrane South participated. Questions or comments. Seeing none, further debate.

**Mr Daigeler:** Frankly, when I heard the member for Etobicoke West, whom I respect, I was kind of beginning to understand why the revolutionary comrade Mike Harris wants to cut the politicians down to 99, because frankly I think the member for Etobicoke West, while he has some good points to make, speaks too often.

**Mrs Haslam:** And too loud.

**Mr Daigeler:** And too loud, yes, as the member opposite says.

I think people across the province expect from us some reasons and rational argument and from time to time to intervene, but not at every opportunity. But of course the member for Etobicoke West I think uses every opportunity he can get to speak and leaves me only about five minutes, because I understand we want to vote still on this matter.

I do want to make a few points about this bill that's before us, because frankly I don't take an ideological position on this. It's a measure that will put in place a minimum corporate tax. Frankly, if you talk to my constituents—and they're basically well off, I must say. They pay a lot of taxes and they're not too pleased about all the high taxes.

**Hon Gilles Pouliot (Minister of Transportation):** What about you?

**Mr Daigeler:** I pay quite a few taxes too, if that's what the member was asking. But they say everybody should pay their fair share, and they would say "including the corporations." They would say that. In principle, I am prepared to look at whether it is appropriate to have a minimum corporate tax in the province. I'm not one to say, "No way; we don't want to look at this at all." I'm prepared to look at it.

But then the question becomes, what does this tax achieve? Will it at this point in time bring in more money? Presumably that's one of the reasons why the NDP government is instituting this tax. In fact, it has instituted it already. We're debating it basically a year after the fact, because budget measures take effect immediately after they are announced. Why did they put this measure in place? Why are they already collecting the minimum corporate income tax? Presumably in order to have more revenue so we can pay for some of the services we are providing. Frankly, that's our logic. I think that would be a reasonable argument to make.

However, in the current economic climate, what we're seeing is that by instituting a tax and by increasing tax rates, we are actually collecting less money, because



we're scaring people. We're moving them out of the province. In the international market, business people, especially corporate citizens, can make a decision to move somewhere else. As much as we dislike that—and frankly, I'm not in favour of that, but I am realistic, I'm practical, I'm pragmatic. I realize that is part of the world we're living in. That is part of the free trade world we're living in, so we have to take that, as responsible politicians, into consideration.

If, because of this tax, people are moving out of the province and are moving to other jurisdictions perhaps farther to the south, are we achieving with this tax what we want to do? That's where I say, in the current economic climate, this is the wrong thing to do.

I'm not saying that this may be the wrong thing for ever. As a Liberal, I try to make my decisions—contrary to what the Conservatives are saying and what the NDP used to say, I try to look at the situation as it develops, and frankly, between 1987 and 1990, yes, there was time to raise taxes, because people wanted services and the economy was good. We provided the services and I supported raising the taxes in order to pay for the services, rather than burden our children with that.

At the same time, one had to realize, and today one certainly has to realize, that the economic situation is different and you have to use different fiscal measures. You can't just come in with a heavy, dogmatic hand and on a matter of principle, which are honourable principles, do more harm rather than good.

That's what I think this tax is doing. It's trying to say, "As the NDP, we made this promise." I think it's a bit of trying to catch up to the normal, usual NDP constituency and that they're saying: "We've harmed so many of our traditional support groups, we've harmed the unions, we've harmed the students, we've harmed the seniors"—that would be in itself a very long story, what the NDP government has done to all of these traditionally underprivileged groups—"at least we have to keep one of our promises. We said, 'Those unnamed corporations, those terrible people, they have to at least pay taxes.' That's one of the promises that we have made and we have to keep that." That's why we have this measure in front of us. That's the only reason that I can see.

As I said, what the tax does is it has the opposite effect, unfortunately, of what the Treasurer had in mind when he instituted this tax. Instead of collecting more money with this bill, he's scaring the business community. He's making it more difficult at the current time for the business community to invest in this province and to expand and to build jobs, and that's why I don't think this is the right tax at the right time.

Just also very briefly, one other measure in here that I think is harmful—it's harmful to a sector of Ontario's economy that is extremely important, and that's the tourism and restaurant sector—is a provision in here that business people can no longer deduct 80% of their meal costs, but only 50%.

Again, on principle, it sounds good. People in my riding would say, "Well, why should these business people be able to write these things off?" I can see that. I can see that argument.

But what does it do to restaurants, the small tourism operators who are trying to make a living and who have really struggled over the last three or four or five years even? What does it do to them? That's I think the point that we have to consider. There are a lot of people in that industry who are employed, especially low-skilled people, and what we're doing with this measure is we are making it much more difficult for that tourism and restaurant sector of the province to be viable and to employ people.

That's why I say it sounds fine in principle that the business people shouldn't be able to deduct these lunch expenses from their payable tax, but the actual effect of this—I think as politicians we have to look through that—is that we are hurting with this measure an industrial sector and a commercial sector that already is smarting very badly and that needs support right now, and not attack, as is done with this particular provision.

With these few remarks, given the fact that time has gone on and the member for Etobicoke West has taken most of my time, I want to conclude. I nevertheless wanted to put on the record my reasons as to why we'll be voting against this bill.

**Mr Sutherland:** I just have a couple of brief comments. I want to thank all the participants who participated in this debate on the corporate tax changes, specifically the minimum corporate tax. I think everyone will, hopefully, see that in the long run this impacts a small number of businesses, that it impacts the wealthiest businesses and that in the long run it is keeping with the direction of this government and moving to a fairer tax system.

**The Acting Speaker:** This completes second reading debate of Bill 146. Mr Laughren has moved second reading of Bill 146. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion the ayes have it.

Call in the members, a 30-minute bell.

*The division bells rang from 1754 to 1803.*

**The Acting Speaker:** Will all members please take their seats.

We are now dealing with Mr Laughren's bill, second reading of Bill 146. All those in favour of Bill 146 will rise one at a time and be identified by the clerk.

**Ayes**

Abel, Akande, Bisson, Boyd, Buchanan, Carter, Charlton, Churley, Cooke, Cooper, Coppen, Dadamo, Duignan, Farnan, Fletcher, Frankford, Gigantes, Grier, Haack, Hampton, Hansen, Harrington, Haslam, Hope, Huget, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kormos, Laughren, Mackenzie, MacKinnon;

Marchese, Martin, Mathysen, Mills, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Rizzo, Silipo, Sutherland, Ward, Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Wiseman, Wood, Ziemba.

**The Acting Speaker:** All those opposed to Bill 146

will rise one at a time and be identified by the clerk.

**Nays**

Arnott, Brown, Cleary, Conway, Daigeler, Fawcett, Grandmaitre, Harnick, Henderson, Hodgson, Marland, Miclash, Murdoch (Grey-Owen Sound), Offer, O'Neil (Quinte), Runciman, Ruprecht, Sterling, Turnbull, Wilson (Simcoe West).

**The Acting Speaker:** The ayes are 57; the nays are 20. I declare the motion carried.

Shall the bill be ordered for third reading? Agreed.

It now being past 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 1807.

**ERRATA**

No.	Page	Column	Line	Should read:
121	5945	1	40	public cannot review them. We have striven to open that individual women and children in most cases and occasional-
	5966	2	7	
122	6001	1	14	board: "I am here in support of the Rayside-Balfour proposal," in which the mayor of Rayside-Balfour came
	6001	2	46	



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Vice-Chair/Vice-Présidente: Ellen MacKinnon  
Ron Eddy, Derek Fletcher, Ron Hansen, Pat Hayes,  
David Johnson, Leo Jordan, Gordon Mills, Hugh O'Neil,  
Anthony Perruzza, Tony Ruprecht  
Clerk/Greffière: Tonia Grannum

**Resources development/Développement des ressources**

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Vice-Chair/Vice-Président: Mike Cooper  
Sean G. Conway, Joan M. Fawcett, Leo Jordan, Paul  
Klopp, Sharon Murdock, Steven Offer, David Turnbull,  
Daniel Waters, Gary Wilson, Len Wood  
Clerk/Greffière: Tannis Manikel

**Social development/Affaires sociales**

Chair/Président: Charles Beer  
Vice-Chair/Vice-Président: Ron Eddy  
Jenny Carter, Dianne Cunningham, Randy R. Hope,  
Tony Martin, Dalton McGuinty, Larry O'Connor,  
Yvonne O'Neill, Stephen Owens, Tony Rizzo, Jim Wilson  
Clerk/Greffier: Douglas Arnott

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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of Ontario**

Third Session, 35th Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 35<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

Thursday 5 May 1994

**Journal  
des débats  
(Hansard)**

Jeudi 5 mai 1994

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers



*50th anniversary*

*1944–1994*

*50<sup>e</sup> anniversaire*

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 5 May 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 5 mai 1994

The House met at 1332.

Prayers.

## MEMBERS' STATEMENTS MENTAL HEALTH SERVICES

**Mr Tony Ruprecht (Parkdale):** I wish to inform the members of this House and the public of an important event that will take place tomorrow at 12 noon in the media studio. The residents near the Queen St Mental Health Centre will again voice their immense displeasure, at this press conference, with the flawed decision-making process in the Ministry of Health.

Ministry officials approved the building of a 20-bed security unit for the criminally insane. The decision to locate this unit on Queen Street shows a total lack of sensitivity towards our community's constant and well-documented wishes for this NDP government to stop adding additional social service projects in this part of the city. Local residents and even elected representatives of her own party were not informed and therefore not given an opportunity to provide input.

We're concerned that the Ministry of Health has become unaccountable to the very community it is to serve. We expect the minister to personally review this decision to locate this 20-bed facility for the criminally insane in the heart of our community in crisis and we hope she will explore with us alternative locations which are much more appropriate.

## YOUNG OFFENDERS

**Mr David Tilson (Dufferin-Peel):** I rise in the House today to urge the Minister of Correctional Services and the Attorney General to join me in lobbying the federal Minister of Justice, Allan Rock, and solve the problem of young offenders escaping from open-custody correctional facilities.

In my riding Camp Dufferin is an open-custody correctional facility that treats young offenders. In the last year alone, 30 young offenders have escaped from Camp Dufferin. These escapes are causing concern and stress among local residents of Mulmur township.

I would like to make two suggestions that would at least partially solve the problem of escapes from open-custody facilities. I have written the federal Minister of Justice, Allan Rock, asking him to change the rules so that young offenders who have escaped must serve the remainder of their sentence in a locked facility. I believe this would deter many young offenders from escaping in the first place.

The second suggestion I have is that he allow more local decisions to be made as to whether a young offender should be serving his sentence in a young offender facility or adult custody.

When young offenders commit a crime close to their

18th birthday, they are still considered young offenders and therefore serve their sentences beyond the age of 18 in a young offender facility such as Camp Dufferin. I believe we have to give more control to the staff of these facilities so they can make decisions based on the welfare of other prisoners as well as the community at large. I'm asking the Minister of Correctional Services and the Attorney General to join me to protect the community surrounding facilities such as Camp Dufferin.

## ONTARIO FARM WOMEN'S NETWORK

**Mr Larry O'Connor (Durham-York):** I am pleased to inform the House of an outstanding effort of the Ontario Farm Women's Network and to inform the members of the OFWN's Community Action Forum, being held at the University of Guelph tomorrow.

The OFWN is an organization of concerned men and women dedicated to confronting the very serious issue of domestic abuse in farm and rural areas. The OFWN recognizes the very unique characteristics of rural communities and the unique problems that face them and the women who live in those communities.

This month is Sexual Assault Prevention Month, which seeks to remind us all of the immense pain and suffering felt by all women escaping abusive domestic situations. But the OFWN reminds us all of the unique characteristic of domestic abuse situations in rural areas: "When an abused farm woman leaves her home, she also leaves her job and her assets."

To help address and confront this very serious problem, the OFWN is sponsoring Friday's workshop, entitled Building Support for Community Action. Over 100 participants will be drawn from government, social service organizations and community groups from right across the province to build partnerships and to network to confront and to end domestic rural abuse.

I am pleased to have an opportunity to join my colleague from Guelph to attend this important workshop tomorrow and invite all members of the House to join me in congratulating and offering support to the OFWN's efforts to end violence against our women in the rural communities of Ontario.

## PITCH-IN WEEK

**Mr James J. Bradley (St Catharines):** I would like to take this opportunity to recognize a very special event that is taking place throughout Ontario, and indeed the world, this week. May 2 through May 8 has been declared Pitch-In Week. This is an international litter control and environmental enhancement campaign taking place in communities throughout Ontario, Canada and the rest of the world.

Throughout this week hundreds of thousands of people in Ontario will be volunteering their time and energy to

enhance our beautiful province. They will join more than 30 million other volunteers worldwide in recognizing tomorrow, Friday, May 6, as Clean World Day.

In Ontario, the Pitch-In Week campaign has enjoyed a great deal of success so far. Whether it is communities signing up to keep roadways clean through the Adopt-A-Highway program or Boy Scouts and Girl Guides participating in litter control programs in urban and rural areas or members of local fish and game clubs enhancing the quality of wetlands throughout the province, each volunteer is making an extremely valuable and worthwhile contribution to cleaning up our environment and making this world a better place in which to live.

I would like to commend the Ontario Federation of Anglers and Hunters, all of those community groups, school children, conservation organizations and other associations and individuals who are taking the time out to participate in the 1994 Pitch-In Week campaign.

#### HEALTH INSURANCE

**Mr David Turnbull (York Mills):** The NDP's latest attack on one of the basic principles of our medicare system, namely, portability, is unconscionable. The average cost of a one-day hospital stay in Ontario is approximately \$400. An arbitrary NDP decision to pay no more than \$100 a day for a hospital stay incurred by an Ontarian who needs emergency medical treatment while travelling outside Canada violates the Canada Health Act. This government is eroding our health care system and breaking the law.

The people of York Mills have repeatedly demanded that government apply common sense to all policy-making and spending decisions, particularly in the realm of health care. The Progressive Conservative Party has heard this plea and responded with the Common Sense Revolution. Our plan guarantees full funding for health care. Health care spending is an essential service far too important to cut.

1340

We will revolutionize the way government does business in Ontario and restore the health care system. A Tory government will cut provincial income tax by 30% over three years. Some of the income tax savings will be reinvested in our health care system through a fair share health care levy. The amount of the levy will depend on one's ability to pay. People making less than \$50,000 a year will pay nothing. There will be no new user fees under the PC plan.

The PC plan meets the test of fairness and requirements under the Canada Health Act. A Tory government will protect—

**The Speaker (Hon David Warner):** The member's time has expired.

#### SMALL BUSINESS

**Mr Jim Wiseman (Durham West):** I rise today to draw the attention of this House and the general public to a travesty of justice and what I can only describe as a campaign to fool the public, the media and the elected officials of this country.

I refer to the ad campaigns by the major banks which are trying to convince people, and elected officials in

particular, that they are good to small and medium-sized business and that they are increasing their loans to small and medium-sized business when the facts do not support their claim and the real-life experience of my constituents prove the opposite.

From 1989 to 1992 banks have decreased their loans to small businesses by \$3.57 billion. These activities of the banks fly in the face of their ads that say they are good lenders to small and medium-sized business.

In my riding businesses have told me banks do not lend to small businesses and lines of credit are being withdrawn and loans are being called. This would not be unacceptable behaviour, except that it is happening to businesses that have not missed a payment and have in no way given the banks cause for alarm.

This is happening to businesses that have survived the recession and are just now beginning to prosper, only to have their economic legs pulled out from under them, leaving them no choice but to put employees on unemployment insurance and for the owners to go on welfare, thus slowing up the economic recovery.

It is time for this to stop. I call on all members of this House to join me in calling on the federal government to reform the Bank Act and put an end to this uncontrolled destruction of the economy.

#### NEWSPAPER CARTOON

**Mr Robert Chiarelli (Ottawa West):** Yesterday the Toronto Sun ran an editorial cartoon which sent a very disturbing message about Sexual Assault Prevention Month. The cartoon was an unflattering caricature of the Attorney General with a caption that implied that only attractive women are victims of sexual assault.

As the member for Sudbury so rightly pointed out yesterday, sexual assault is not about attractiveness. It is about anger and hate, it is about violence against women, regardless of their age, physical build or mental capacity.

What is perhaps more disturbing than the original cartoon is the newspaper's defence of it. It is hard to believe that a newspaper which prints a cartoon such as this and then defends it thinks we will believe that it takes the issue of sexual assault seriously.

A Statistics Canada survey conducted last fall showed that more than half of all Canadian women have been physically or sexually assaulted in their lifetimes. This is not a joke. The sexual assault of women is not something to be made light of. The victims of sexual assaults deserve better than a cartoon that mocks sincere efforts at raising awareness of violence against women.

We will also be lodging a complaint with the press council over this frightening and repulsive cartoon.

#### CHILDREN'S SERVICES

**Mrs Elizabeth Witmer (Waterloo North):** On Tuesday our leader, Mike Harris, announced a new and innovative plan for restoring hope, optimism and prosperity in this province. It is called the Common Sense Revolution.

One of the key components in this document is the very strong commitment by our party to protecting our children, especially those in need, those children who live



in poverty. By supporting the children who face the greatest challenges, we will protect our single most important investment for the future.

Our targeted programs for children in need will be community-based and they will include a community nutrition program for school-aged children; a program entitled Learning and Earning and Parenting, to encourage young parents on welfare to stay in school; and homework assistance centres to help motivate students to improve their school work.

We will also introduce a badly needed mandatory mediation program to resolve many of the problems which families encounter during a separation.

Further, the aim of The Common Sense Revolution is to free our children from the legacy of deficits and debt which all previous governments have created. Our children should not have to pay for the reckless spending of our generation.

#### DOWNTOWN OSHAWA BOARD OF MANAGEMENT

**Mr Drummond White (Durham Centre):** It gives me great pleasure to inform the House about a dynamic group of business people in Oshawa who make up the Downtown Oshawa Board of Management and are using that organization to make sure that downtown Oshawa thrives just like the rest of Durham region. They're working hard not only to attract new business and organizations to the downtown but also to maintain existing jobs in the heart of Oshawa.

People like Kevin Campbell, the chair, and Brenda Snowden, the administrator, of this organization have put in countless hours in the past few months to try to persuade the region of Durham not to move 200 jobs in social services out of downtown Oshawa. Along with them here today in the members' gallery is the mayor of Oshawa, Nancy Diamond, who supports their effort.

They have proposed creative, cost-saving solutions. They have circulated petitions and lobbied politicians at three levels of government, asking for their support in revitalizing Oshawa's downtown core. Downtown Oshawa businesses face severe setbacks. Rather than succumbing to resignation or defeat, the Downtown Oshawa Board of Management has shown resiliency, innovation and determination.

I would like to applaud the efforts of this group. They deserve encouragement for focusing on a significant problem. They deserve support as they build a community spirit in the downtown area.

**The Speaker (Hon David Warner):** It is now time for oral questions. The member for Halton Centre.

#### ORAL QUESTIONS

**Mrs Barbara Sullivan (Halton Centre):** My question is to the Minister of Community and Social Services, but I don't see the minister in the House. Can I stand down this question for now and have the clock stopped so that we can proceed with our second question?

**The Speaker (Hon David Warner):** A second leadoff question.

**Mr Michael A. Brown (Algoma-Manitoulin):** Mr Speaker, I have a question for the Minister of Natural

Resources. I don't believe he's in the House, as are very few ministers. Could I have the opportunity to stand this question down?

**The Speaker:** I cannot be of assistance to the member. There is a quorum in the House and there are ministers present and it is now time for oral questions. I appreciate the members' difficulty.

**Mr Steven W. Mahoney (Mississauga West):** On a point of order, Mr Speaker: Could we ask for unanimous consent to delay question period until the ministers we wish to address are here?

**The Speaker:** Is there unanimous consent to delay? No, there is not. A leadoff question, the member for Leeds-Grenville.

**Mr Robert W. Runciman (Leeds-Grenville):** I'd like to make a point that the opposition parties are advised prior to question period who the ministers will be in terms of presence in the House on a given day. Our questions are prepared on the basis of that information provided by the government. When question period is called and those ministers are not present in the House, how can we proceed with question period?

**The Speaker:** I understand the honourable member's concern and I appreciate the discomfort that's created when lists indicate one thing and something else occurs, but I cannot be of assistance to the member. I'm not privy to those pieces of paper, nor should I be. All I can go on is that there is a quorum in the House and there are ministers present and this is question period. Two questions have been stood down.

**Mr Murray J. Elston (Bruce):** On a point of order, Mr Speaker: We took up two and a half minutes with that, waiting for the ministers to appear. Could you put the time back on, please?

**The Speaker:** I understand the member's concern. Indeed, if I understood what was provided by the member for Leeds-Grenville, there were certain expectations with respect to attendance of particular ministers. In fairness, we can start the clock over at 60. And now the member can place her first question.

1350

#### MENTAL HEALTH SERVICES

**Mrs Barbara Sullivan (Halton Centre):** My question is to the Minister of Community and Social Services. Mr Speaker, as you will recall, yesterday the leader of the official opposition, Lyn McLeod, spoke to the issue of the shocking level of youth unemployment in Ontario. Today I want to turn to another area where our children and youth have been seriously adversely affected by the actions of this government, and I believe this is a crisis issue.

Young people with mental health problems are very vulnerable and are among the most ignored in our society. Continued cutbacks in services for them make them even more seriously threatened.

At the end of July, Chedoke-McMaster Hospital will close its 10-bed treatment facility for teenagers with serious psychiatric problems. The B'nai Brith Cottage, as you know, Mr Speaker, and as the minister will know, has treated children from the Hamilton area for over 20

years. In an average year they treat 20 young people on an inpatient basis, and they treat additional numbers of people on an outpatient basis, for which there's a six- to nine-month waiting list. The hospital has no money to help these young people.

This government promised there would be no serious adverse effects due to social contract and expenditure control cuts, but I'm asking the Minister of Community and Social Services if, when these cuts were fashioned, there was any account taken of the very serious adverse effects of the social contract and expenditure control plan on our very vulnerable young people with serious mental health problems.

**Hon Tony Silipo (Minister of Community and Social Services):** The short answer is yes. Obviously, when we looked at the social contract proposals, we made a number of allowances for areas where we knew we were dealing with situations such as the one the member has described. Particularly in the approach we took in the social services sector, which was to apply an overall reduction to each of the agencies and to the sector as a whole, part of the reason for us taking that approach was because we recognized the particular nature of the sector.

In the instance the member is indicating, I don't have the details in front of me, but I believe it's a situation in which there is funding both from the Ministry of Health and the Ministry of Community and Social Services. In those kinds of services, we went further and took some additional steps to ensure that the proportion of the reduction under the social contract was congruent with the proportion of funds that were flowing from each of the two ministries; that is, that we were not applying the health sector approach to situations like that, but that we were taking a prorated cut on the basis of the portion of funds that were coming from the Ministry of Health and from the Ministry of Community and Social Services.

**Mrs Sullivan:** The minister speaks of cuts from two ministries. In fact, they took a cut on the basis of three hits: the social contract and expenditure control in the Ministry of Health, the social contract and expenditure control from Comsoc, plus an additional hit through the child and family services agencies, which also had those same cuts applied to them.

It is impossible for this hospital to operate those beds. They have made an urgent appeal to your deputy minister to have the situation reviewed and funding restored so that these very vulnerable young people can receive the treatment they need. They're looking for any way, any way possible, to keep those beds open and to keep those children under treatment and receiving the services so they can become productive members of our society.

Their appeal was refused by your deputy minister, and now 10 more beds have disappeared and waiting lists are constantly growing. For the parents and children who can't find care and who will only find themselves and their children in more difficulty when that centre closes in June, I am asking you what relief they can expect from the new budget or from any other interventions and urgent action you're prepared to take.

**Hon Mr Silipo:** Specifically on the reference the member makes to the child and family services cut,

which I'm assuming refers to the expenditure control cuts that were made and that affected some of the agencies, I can tell her, as I've indicated from the time that action was taken, that we have continued to monitor that particular situation against the expectations that we had of how the money could be found by agencies without affecting services, and clearly we have learned that there will be further impacts on services than we had anticipated. So I'm anticipating that there are some improvements we can make in that situation.

I don't know whether this will answer the specific question about this particular program and hospital that the member is addressing, but I certainly would be prepared to take a look at that particular instance to see whether there is anything further that needs to be done or can be done.

I can tell the member that I am meeting next week with the representatives of the provincial organizations of a variety of children's services agencies and others we serve, to outline to them what steps we believe we can take to assist in managing the reductions, in fact even in appeasing some of the problems that have been caused by the reductions, based on the information we have received through that in-depth survey that was just completed recently.

**Mrs Sullivan:** One of the young women who is a resident of the B'nai Brith centre said last night that she firmly is convinced that without the treatment she has received there she would either be in jail or she would be dead. The treatment provided at the B'nai Brith centre is so extraordinarily important to these young people, I can't emphasize to you how important this treatment is. They have been refused an appeal that will enable them to keep those beds open to enable the trained experts to provide the services those children so desperately need and that their families are crying out for.

We've been talking a lot in the House recently about increases in crime, and impacts on young people of inadequate services available to them. What do you have to say now to the young woman who says she would be dead or in jail without those services and to the other young people whose lives could perhaps lead in other very deleterious directions?

**Hon Mr Silipo:** Without in any way wanting to be seen to be diminishing the importance of the point the member is making, I think it's also important that we not dramatize in these kinds of situations. I'm sure that all of us could find examples of situations of people who are in real need, in any area of service that we as a province and as a government are involved in providing.

I think the issue is, how do we better use the dollars we have? We know we're in a situation in which we are not going to have piles of new money. The question we have been putting and the issue we have been putting and the point I want to make directly to the member opposite today, that I will be making directly to the agencies in the meeting I'm having with them next week, which I alluded to earlier, is that we have to come to grips with the situation we are facing and together do better planning.

We have ensured, and I can tell the member that we



continue to ensure, that in individual situations people are served to the best of the capacities of the system across the province, and whenever there are situations such as the one the member has pointed out, we from the ministry—and locally I know efforts also are under way—try to deal with those issues. There can always be individual circumstances that are brought to the floor of this Legislature.

**The Speaker (Hon David Warner):** Could the minister conclude his response, please.

**Hon Mr Silipo:** We have to be careful not to generalize from that and say, "If you only did this, the problem would be resolved." There are bigger problems that have to be looked at in the whole context. We need to have our agencies working together to say, how can we better prioritize the dollars we have? How can we better utilize the dollars we have to ensure that the range of needs is being addressed?

1400

#### PROVINCIAL PARKS

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a question for the Minister of Natural Resources. On this side of the House, we thought the "Keep It Wild" campaign related to parks; we were not aware that it related to a management style of the minister.

The minister did not announce in the House on Monday, as we would have hoped—that he at least would have told the public he had closed Aaron, Carson Lake, Devil's Glen, Ferris, MacLeod, Selkirk, Foy and Sioux Narrows provincial parks.

You claim that by doing this you're going to save \$275,000. You have acknowledged, however, that this will cost the province of Ontario's economy and the local economies \$7 million in economic activity. We are concerned also with the other side of the equation, and that is the revenue you would have got from \$7 million of economic activity.

You are laying off 40 people, you are not hiring summer students, you've closed 400 campsites, and you've kept 54,000 people, the number using those parks every year, from enjoying what we as Ontarians have taken to be very important. In the year following the centennial of our parks system, Minister, could you tell us why you closed them?

**Hon Howard Hampton (Minister of Natural Resources):** I'm very happy to answer the member's question. The reality is that we have 259 parks in the Ontario provincial parks system. Over the last year, we have worked to add a number of protected areas, ecologically sensitive areas, geologically important areas, to the list, and we feel very good about that.

But the reality is that we have a number of recreation parks in the system that do not earn or pay their own way, and in tough economic times such as we are in now, we have to make some difficult choices about whether we can operate all those parks. Some of these parks require substantial subsidies every year.

I would put it to the member this way: We have choices about curtailing health care costs, and the opposition says to us, "Don't curtail health care costs." We have

choices about funding school systems, and the opposition says those should be funded. When that happens, we have to make some difficult choices about the things we can't fund. We have decided that some of those parks that do not pay their own way, and in fact require subsidies of \$80,000 or \$100,000 a year, should not operate this year.

I am not closing them; there's been no act of closure here. They simply will not operate this year. People can still go and visit them. People can still hike through them. People can still engage in other activities, but we will not have any operating staff in those locations.

**Mrs Elinor Caplan (Oriole):** They're not closed. They're just not open.

**Mr Frank Miclash (Kenora):** I'd really like to know what the difference is between closure and not operating the parks this year.

Minister, as you know, one of those parks, Sioux Narrows Provincial Park, is located in my riding of Kenora. We know this park contains 43 regular campsites and affords opportunities for thousands of visitors to the area each year. The economic and social benefits which flow to the local area from this park are very significant. Indeed, the township of Sioux Narrows and the Whitefish Bay First Nation have both written to you and copied me on letters indicating the park's economic, social and cultural importance to their local area.

Let me quote from the letter from the township of Sioux Narrows: "This park employs seven people during the season, some who have worked there for a number of years: What happens to these people now?"

Also, the Whitefish Bay First Nation has voiced their concerns in a letter dated April 28. They say to you, "This is very discouraging, considering the social and economic problems that our community is faced with."

Minister, what do you have to say to the local businesses and governments in my area, those who depend upon the tourists attracted to the Sioux Narrows area?

**Hon Mr Hampton:** I know the Sioux Narrows area well; I visit the area often. I can say to the member opposite that there are a number of private campgrounds in the area. Rushing River Provincial Park is located within 40 kilometres. Caliper Lake campground is located very close as well. We are not in any way lowering or reducing the tourism capacity of Sioux Narrows.

I want to say to the member as well that the park in Sioux Narrows requires revenue from the ministry's parks branch of \$132,000 a year and produces revenue of only \$37,000 a year. We get lectures every day from the Liberal Party, which could not balance the books of the province in good times, lectures every day about how we should make tough choices. We are not going to subsidize this park to the tune of \$80,000 this year. That's a tough choice, but that is better than curtailing costs, health care, education and making the tougher choices there.

People who want to visit that park can visit it; people who want to hike through it can hike through it; people who want to bird-watch in it can do those kinds of activities. We simply will not have any operating staff this year, because we don't have the money to do it.

**Mrs Joan M. Fawcett (Northumberland):** I don't know whether the minister recognizes this, but this is your ministry's guide to Ferris Provincial Park, which, I might add, is still being advertised and is available in your information office. This park in my riding offers much as a tourist attraction to the Campbellford area. It offers plenty of opportunity to pursue outdoor activities such as camping, boating, fishing and exploring.

What is really upsetting to me as the provincial representative is that this park did not have to close. The town of Campbellford has made proposals to you in the past to reach a cooperative management plan agreement to not only keep the park open but to increase its use. It is shameful that your government has decided to close down this park which, I can tell you, was originally created through the donation of 161 acres of land by Kathleen Ferris in 1960. Many members of the community really feel that the wishes of the Ferris family in donating this land to the province are not being honoured.

Minister, why have you not looked at alternatives to closing Ferris park and all the provincial parks you have decided to axe, in an effort to keep these important natural places within the provincial park system and attract tourists to local communities which depend upon them for a large part of their economy?

**Hon Mr Hampton:** I get the impression that the Liberal research office is having a tough time. These parks are not being removed from the provincial parks system. They remain as part of the provincial parks system, they remain as protected areas. People who want to explore in these parks can still do so, people who want to hike in these parks can still do so. The difference is that we are not having any operating staff in these parks this year.

In this case, the member is asking the taxpayers of Ontario to subsidize a park in her riding that has an average occupancy in the summer of less than 15%. We would like to operate every park in the system, but given that we have a limited budget and given that we have some parks that have a very low occupancy rate, 15%, 20%, that require subsidies of \$80,000 a year or \$100,000 a year, we simply can't operate them all.

I want to assure Liberal research of something else: We have made the offers to local municipalities to work with them should they wish to open the parks for parts of the season. Earlier today, I spoke to two mayors and two reeves myself to extend that offer. If the member's municipalities want to operate this park in some fashion, we invite them to come forward with a proposal.

**Mr Miclash:** On a point of order, Mr. Speaker: I think the minister will want to correct his statement. He indicated that the townships were aware and had the opportunity. The town of Sioux Narrows did not—

**The Speaker (Hon David Warner):** The member does not have a point of order. Would the member please take his seat.

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#### REVIEW OF HOSPITAL STAFF

**Mr Robert W. Runciman (Leeds-Grenville):** My question is for the Minister of Health. I don't know if she

read a column by Lorrie Goldstein in the Toronto Sun this week, "Monster Freed to Roam Our Streets." If she had, it may have jogged her memory in respect to a letter I wrote her four months ago, on January 5, 1994.

I wrote to you asking for a performance review of the two top psychiatrists at the Brockville Psychiatric Hospital: chief psychiatrist Dr Ron Draper and forensic unit psychiatrist Dr Neil McFeely. The two doctors have been in charge when we've had two murders, one attempted murder and a number of other serious incidents involving forensic patients from the Brockville hospital.

In a decision released January 12, seven days after I wrote you, the Ontario Court of Appeal overturned a Ontario Criminal Code Review Board decision to grant an unconditional release to patient Daryl Jones. Jones had been a forensic patient since 1975 after being found not guilty by reason of insanity for the rape and attempted murder of an 18-year-old woman. In its decision to overturn Jones's release, the Court of Appeal ruled that the hospital had engaged in "a complete abdication of responsibility."

Minister, why have you not responded to my call four months ago for a staff performance review, and why have you not responded to the Ontario Court of Appeal decision?

**Hon Ruth Grier (Minister of Health):** I know the member will be pleased to know that there in fact has been a response to the situation at Brockville and to the recommendations from coroners' juries as a result of some of the incidents that have occurred. A forensic working group has been put together within the ministry to respond to the recommendations of one of the coroner's juries, and I asked Dr Stephen Hucker of Queen's University to do a report for me on the whole question of forensic services at Brockville Psychiatric Hospital. I received his recommendations and report earlier last month, and we are reviewing those recommendations.

**Mr Runciman:** That's a sad joke—I could say a sick joke—because these situations have been occurring year after year. I raised it with Elinor Caplan, the Liberal minister, I raised it with your predecessor, and still nothing meaningful is done.

The Hucker report is a whitewash, with all due respect. It does not deal with the Court of Appeal decision. It does not deal with the Jones release in any way, shape or form: no reference, Madam Minister, to that judgement or that decision. I want to say that people are tired of these lame excuses in respect to the release into the community of very dangerous individuals.

Less than two weeks before the court's judgement, Mr Jones, the individual in question, was charged with the second-degree murder of a 79-year-old widow in Brockville, Ruth Cohen, right in her home.

We heard today from the member for Parkdale that people are very much concerned about the Queen Street Mental Health Centre having a 20-bed forensic unit thrust upon them. They have every right to be concerned, given the track record of your ministry and the kinds of responses we get in this Legislature day after day when this issue is raised.



Minister, I ask you again: I've simply requested a performance review of two professionals in this facility who consistently have been involved with very controversial decisions which have resulted in tragic incidents in my community. When will you deal with that request?

**Hon Mrs Grier:** I hope the member isn't under the impression that we take this situation lightly, that we are not just as concerned as he and his constituents are.

He says it's been going on for years. I point out to him that what we have done is to begin to address some of the problems that have been identified: a lack of coordination between agencies, a lack of ability to respond to and to deal quickly with some of the incidents such as he had outlined. We take it very seriously. We have made changes, and we are continuing to work together to make sure that the kinds of incidents that are of concern to him, and of very real concern to me, don't continue to happen.

**Mr Runciman:** In all due respect, how can people take that kind of a response seriously?

We have the Ontario Court of Appeal saying there was a complete abdication of responsibility on the part of the staff at the hospital, a scathing indictment—a complete abdication of responsibility.

You hire this Dr Hucker to go in there and review the situation and he doesn't even deal with it. He doesn't even make any reference to it whatsoever. How can we take you seriously in terms of you being concerned?

The federal government is now talking about firing a parole board official who may have been involved in some very controversial decisions. Here's a situation where we know—the Ontario Court of Appeal says these people screwed up in a very serious way—and you were not even prepared to carry out a competency review of these individuals, report to the community and report to the province at large.

Why don't you do the responsible thing? Have a competency review conducted, and if these people are incompetent and putting the public at risk, fire them.

**Hon Mrs Grier:** The member has been in this House long enough to know that I'm not going to respond in the House with respect to an individual case or an individual professional.

**Mr Runciman:** Baloney. You don't respond to anything. You had a letter four months ago and you haven't even acknowledged it.

**Hon Mrs Grier:** I think that for him to cause the sort of concern and raise the level of fear in his community, as he does, is most unfortunate.

**Mr Runciman:** On a public safety issue, you can't even—give me a break. You're really serious? A letter four months ago, a public safety issue.

**The Speaker (Hon David Warner):** Order. The member for Leeds-Grenville, please come to order.

**Hon Mrs Grier:** We take extremely seriously what has happened. We brought in a very respected, competent person—

**Mr Runciman:** You can't even be taken seriously, Ruth, just like your friend.

**The Speaker:** Would the minister take her seat. Would the member for Leeds-Grenville please come to order.

#### PUBLIC HOUSING

**Mrs Margaret Marland (Mississauga South):** My question is to the Minister of Housing. Yesterday, I asked the minister about the latest social housing scandal, the police anti-corruption probe of Metro Toronto Housing Authority. The minister's replies to my questions were, at best, ignorant; at worst, evasive.

I asked what steps she would take to ensure responsible management and full accountability of the Metro Toronto Housing Authority. The minister's answers told us nothing. The minister is aggravating this scandal by hiding what she knows.

This morning the press reported that the minister has received a letter from an MTHA board member expressing concern about serious problems with the tendering process. Indeed, the minister has appointed Eloise Burke to investigate MTHA.

Minister, when did your office receive the letter from the board member, when did you first learn of the letter and when did you make the decision to appoint Eloise Burke?

Answer these questions carefully, because there are more coming.

**Hon Evelyn Gigantes (Minister of Housing):** The high and mighty tone of the member for Mississauga South really is beyond belief. If I thought for a moment that what the member for Mississauga South—

*Interjections.*

**The Speaker (Hon David Warner):** Would the minister take her seat, please. I'm sorry; I can't hear what the minister is saying.

**Hon Ms Gigantes:** If I thought for a moment that the member for Mississauga South was actually looking for an answer to a question, I'd be happy to try to respond, as I tried yesterday when she raised questions about MTHA in a setting of hyperbole and implied scandals and mismanagement and so on.

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There has been a police inquiry going on at MTHA. The police were called in by the manager of MTHA in the middle of last summer, and they were to investigate a very specific—

*Interjections.*

**The Speaker:** The member for Simcoe West is out of order, and I would ask his colleagues also to allow the minister the opportunity to reply to the question that was asked by the member for Mississauga South.

**Hon Ms Gigantes:** As I was saying before I was so rudely interrupted by the colleagues of the member for Mississauga South, the manager of MTHA notified the police last summer that she believed there was a matter they should investigate at MTHA. That investigation has been going on since then, and when it is complete, then obviously the information about that will be provided to the member for Mississauga South, as to all members of the public.

**Mrs Marland:** Well, this is really interesting. The minister says I have implied a scandal and in the next sentence she tells us there's been a police investigation since last summer. If the minister had stood in her place yesterday and given us some of that information, we wouldn't need to be pursuing it today. It's funny how she's done a real quick study overnight and has some answers today, and I'm glad that she's finally coming forward and telling this House what the people of this province are entitled to know.

The fact is that there are sources that are saying: "There is a cesspool of dirty deals and an elaborate kick-back scheme that goes back many years. Board members say they've been kept in the dark and have been rubber-stampers. Apparently they rubber-stamped a \$2-million contract renewal to contractors who had failed to complete substantial amounts of work required under their contracts. One employee said, 'Stuff like this has been going on at the MTHA for the longest time and still is, but the MTHA chooses to bury things and then move on.'"

Minister, I would like you now to tell this House what the terms of reference are for Eloise Burke's investigation of MTHA and when she will report her findings. I'm not asking for you to tell us when the police are going to report; I'm asking you to tell us what your personal appointment, Eloise Burke, is going to do and when and how.

**Hon Ms Gigantes:** I'd be pleased to attempt to answer a direct question without trying to address the hyperbole that goes with it. Eloise Burke was hired as a result of grave concerns that I had surrounding incidents that went along with the process of hiring an equity director at MTHA. Her terms of reference are addressed directly to a review of that hiring process, in the course of which she has been asked to look at the structure in relationship of members of the board to staff at MTHA.

**Mrs Marland:** It would be interesting to know what kind of relationship we're talking about between board members and staff, wouldn't it? I don't have to remind the minister, of course, that MTHA is a public agency funded by \$250 million of taxpayers' money every year, and the public certainly has a right to know what is going on.

Yesterday I asked, Minister, for you to include the MTHA in the terms of reference for the public accounts committee review of two other scandals, involving Houselink and the Supportive Housing Coalition. The House leader for the third party repeated that request during a meeting of the House leaders last evening, but the government House leader refused our request.

You know, Madam Minister, as well as I do, that there's a balance of power of your members on that committee. You told us yesterday that if the public accounts committee wanted to give direction to the Provincial Auditor for a special audit, "the public accounts committee can do the same."

I would like you to know that the public accounts committee members do not work without your direction. So I would like to ask you again, will you once and for all come totally clean with the public of this province, the

taxpayers of this province, as it regards MTHA and a quarter of a billion dollars and agree to include MTHA in the terms of reference of the public accounts committee review in order that you don't have to stand in the House and defend what you say I'm suggesting are scandals?

**Hon Ms Gigantes:** I utterly reject the allegations which are being made by the member for Mississauga South that there are scandals involved with non-profit housing. Those matters are going to be before the public accounts committee, and I hope she will busy herself with learning the facts of what has happened in the audits which were undertaken, initiated first by the Liberal government, one of them, and then continued by ours.

**Mrs Marland:** We wouldn't even be having it if we hadn't asked for it. You have known for 10 months and haven't told us. You've known since last summer and you've never told us anything.

**The Speaker:** Order.

**Hon Ms Gigantes:** On the question of MTHA non-profit housing rent control, this member would like to paralyse MTHA for the moment. She wants to fold down non-profit housing, she wants to increase the shelter allowance, which is now at over \$2.6 billion a year to private landlords, and she wants to get rid of rent control. What is her housing policy?

**The Speaker:** New question, the honourable member for Mississauga North.

*Interjections.*

**The Speaker:** Order.

**Mr Jim Wilson (Simcoe West):** She can't ask herself a question.

**The Speaker:** The member for Simcoe West remains out of order.

**Mr Jim Wilson:** Well, it's perfectly correct. Her tone was intolerable.

*Interjections.*

**Mrs Marland:** Our housing policy is not to have scandals.

*Interjections.*

**The Speaker:** The member for Durham East. Would the member for Mississauga South please come to order.

The member for Mississauga North has been waiting patiently.

#### CONTAMINATED SOIL

**Mr Steven Offer (Mississauga North):** I have a question to the Minister of Environment and Energy, and it concerns another instance where your government has authorized the use of contaminated material as landfill cover, this time in the Ottawa area.

Soil contaminated by a 4,000-litre gasoline spill which occurred last year at the Caltex gas station in Orléans forced residents of a nearby house to relocate because of the noxious fumes and hazardous materials associated with the spill. I know the minister will be aware of this.

It has also now been made known that that soil, as contaminated, has now been shipped to a private landfill site in Gloucester to be used as daily cover. In fact, according to a press release, it becomes apparent that the



reason this is taking place is because the ministry has received cut-rate prices to allow the disposal of this contaminated material in this fashion.

My question, Minister, is, why have you authorized the shipment of this untreated contaminated material for use as landfill cover when commercially available technologies could be used to restore the quality of the soil in a cost-effective and environmentally sound manner?

**Hon Bud Wildman (Minister of Environment and Energy):** If the member had consulted with his colleague from Carleton East he would know that he and I have been dealing with this issue for some time. His colleague has worked very hard on behalf of his constituent, who has suffered substantially as a result of the contamination, and has cooperated with me and my ministry staff to ensure that Mr MacIntyre and his family are properly protected and get the assistance they require in order to have their home replaced, the contamination removed and assistance provided to them to assist them in this serious problem and the transition. The local gasoline station owner apparently has avoided doing what is responsible to clean up the problem.

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**Mr Offer:** That's quite interesting, except the minister hasn't answered the question. We are well aware of all the information you have just given, but the question is about you and your ministry and the hypocrisy of your government's policy concerning the cleanup of contaminated soil.

On the one hand, you maintain that the soil is contaminated and represents a health and environmental risk to the local community, yet on the other hand, your ministry is authorizing the use of this gas-soaked soil without treatment as a cover at a privately owned landfill site in Gloucester.

There is available technology in the province that can be used to restore the quality of this soil in a cost-effective way. There are companies in the local area that are willing to do this work, but your ministry has precluded this by authorizing its shipment and use in a landfill site.

The question remains, Minister, why are you permitting material which you feel poses an environmental risk to citizens in the area to be used as landfill cover in that area?

**Hon Mr Wildman:** I can assure the member that the ministry is taking every opportunity to protect the public and to protect the environment.

#### MUNICIPAL BOUNDARIES

**Mrs Dianne Cunningham (London North):** I have a question for the Minister of Municipal Affairs who is standing right there. Mr Minister, earlier today we learned, graciously and gratefully, that you've agreed to a meeting with the mayor of the city of London to discuss the regulation of the phased-in tax assessments, which you know have been somewhat controversial in the last couple of weeks. I was happy to see that.

There was one statement which I'm not sure would be the case and I'm going to ask you about it now. You were quoted in the London Free Press as saying that you

would be prepared to meet with the top London officials but that it wouldn't change your plan. I just want to know if in fact that is your true position.

**Hon Ed Philip (Minister of Municipal Affairs):** What I said was that I thought all the people who were involved in arriving at the understanding in the London annexation, namely, the honourable member herself, the other MPPs from the London area, the mayor and deputy mayor and indeed the senior staff, should have a meeting on Monday and that I'd be prepared to look at the situation.

I was very disappointed, as I shared with the honourable member last week, at the decision by the council. Our provincial plan was to extend tax relief to all those ratepayers in the new parts of London who would otherwise see onerous property tax increases this year. The phase-in plan that we proposed would have made it possible for the council to have achieved its budgetary targets without the need to raise additional taxes simply by slowing down the decreases, a slowdown that would have meant less than seven cents on the dollar.

We were disappointed that the council acted contrary to the understanding that the arbitrator had recommended, which was clearly outlined in the legislation introduced by my colleague Mr Cooke in the House, which the mayor and council would have been clearly aware of.

**Mrs Cunningham:** If I could be allowed a couple of minutes, first of all, I understand that the minister is not pleased with the city of London's plan. My question was, are you prepared to go into open discussions? I think I heard that you are. I think that's what you were saying. I don't see you nodding your head. I see you're smiling.

The minister talked about the arbitrator, and I think it's extremely important, because I've discussed this with the arbitrator in the last week in the interests, I think, of everybody. I think his statement that he was very disappointed that the ongoing, open, consultative process did not take place that the former minister held, where all of us were in fact consulted on an ongoing basis—that just didn't take place.

I can only speak for myself and I know you're getting impatient, but I have to say right now that in this Legislative Assembly we have to work very hard to work with the municipalities to make certain they're part of the solution, and I don't think any unilateral decision on anybody's part is in the best interests of families.

I'm going to ask the minister now: Will you state in this House that you will commit to an open discussion with the mayor of the city of London, because that's the key question here, with room for some, I would say, give and take so that you're not dug in on your position? Because if you are, Mr Minister, that's the exact opposite approach that was taken before, and I'm speaking personally as a member of the House who represents London.

**The Speaker (Hon David Warner):** Could the member please complete her question.

**Mrs Cunningham:** Will you clearly state that there is some room for compromise as a result of the discussions? That's very important.

**Hon Mr Philip:** We have had an open consultation process on this all along. There was open consultation by my predecessor, Mr Cooke, in arriving at the original decision. There was an understanding that was fairly clear in the legislation that there would not be undue hardship to the annexed areas. The mayor knew that. Councillor Joe Swan and Councillor Veale pointed out—

*Interjections.*

**Hon Mr Philip:** I'm sorry, Mr Speaker. I can't be heard over the member for York South.

**The Speaker:** Would the minister take his seat, please.

*Interjections.*

**The Speaker:** Would the minister please take his seat.

*Interjections.*

**The Speaker:** Minister.

**Hon Mr Philip:** I think the member for York South just appointed a new minister—the member from York west.

I was surprised when the city chose not to live up to the commitment that was clearly made in the original understanding. I was surprised when they took that stand in an arbitrary way. On February 18, my staff met with their senior staff and told them that was unacceptable, that we would move on the regulation. The regulation will be moved on, but we are willing to look at ways in which we can work with the municipality to phase in the way in which that regulation will be implemented.

#### WORLD NORDIC GAMES

**Mr Len Wood (Cochrane North):** My question is to the Minister of Culture, Tourism and Recreation, and if she could, the member for Port Arthur would like to ask this question, but it is on a matter of concern to all northern members and indeed all Ontarians.

Minister, in 1990, the city of Thunder Bay made a successful bid to host the World Nordic Games in 1995. My colleague the member for Port Arthur has worked very hard in her community to help support this bid, and I understand that the province has been instrumental in providing necessary funds for the games to be a success. Yet I heard a disturbing report on CBC Radio this past Monday morning that the games are in danger of being lost if the federal government does not come through with certain funds by June.

Minister, I know you must be aware of the tourism and economic development potential from these games, in addition to their value as a sporting event. What have you as the Minister of Culture, Tourism and Recreation been doing to ensure their success?

**Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation):** I also want to begin by strongly commending the member for Port Arthur for the tremendous work that she and her staff have done both to assist in the organizing efforts for the world Nordic ski championships as well as in ensuring that our government has been fully aware of the importance that they mean to the economic development of the Thunder Bay region.

The government of Ontario, under the past government, wisely agreed to commit \$5 million to support the

bid for Canada to host these Nordic world ski championships. Our government, in spite of the economic difficulties, has not only honoured that commitment of \$5 million, we've added a further \$3 million in anti-recession funding to develop the infrastructure needed, we've added a further almost \$250,000 to pave a parking lot that was required, and we've also added further cultural support for the cultural activities that were recently required to host the World Cup games this year in preparation for the games next year. That adds up to \$8.5 million this government has put into support.

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The federal government, on the other hand, was asked initially for the same \$5 million. They have consistently refused to come forward with more than \$2 million. Hence, there's no surprise that we end up with a \$3-million crisis facing the Thunder Bay community.

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.

**Hon Ms Swarbrick:** I will with this one thing: It makes me wonder if the MPP for Fort William, who's the leader of the Liberal Party, is not able to help her constituents—

**The Speaker:** No. Would the minister please take her seat. The question has been replied to. Is there a supplementary?

**Mr Wood:** Minister, I'm still concerned and worried about the threat of losing the games. Broadcasts in the international media would provide exposure not only for Thunder Bay but for the whole country of Canada. Are you continuing in your efforts to work with the federal government?

**Hon Ms Swarbrick:** Absolutely. It does make me wonder very strongly when the MPP for Fort William, who's leader of the Liberal Party in Ontario, can't help her very own constituents in her own riding to get the vital \$3 million in economic development support that her region needs. Is this indicative of what the people of Ontario could expect if, heaven forbid, the leader of the Liberal Party were ever to become the Premier of this province of Ontario?

**The Speaker:** Could the minister conclude her response, please.

**Hon Ms Swarbrick:** I have been working long and hard with the municipality of Thunder Bay, with its mayor, with the chair and the board of the Nordic world ski championships—

*Interjections.*

**The Speaker:** Order.

**Hon Ms Swarbrick:** —in an attempt to get that funding from the federal government. I met recently with the Minister of Canadian Heritage. Along with the mayor and along with the chair of the world Nordics, I believe we were finally successful in getting the attention of the federal heritage minister on this important issue. The problem now is that the federal heritage minister also requires—

**The Speaker:** Would the minister please conclude her response.



**Hon Ms Swarbrick:** —further assistance from the federal minister of tourism as well as the federal minister responsible for human resources—

*Interjections.*

**The Speaker:** Order. Would the minister take her seat.

#### SMALL BUSINESS

**Mr Steven W. Mahoney (Mississauga West):** My question is to the Premier. The Premier talks a great deal these days about his government's job-creating programs. He spends more time outside the House—

*Interjections.*

**Mr Mahoney:** By the way, there is another shoe to fall on this; just bear with me. He spends more time outside the House travelling around the province re-announcing job programs. But the reality is that in Bob Rae's Ontario, small businesses are being punished for creating jobs.

I have an example of Mr Craig Cope, who runs a small decorating business in Don Mills called Baldwin Decorating. In 1993, he estimated his payroll at \$10,000. The recession has been very tough on his business, but during the year, through his efforts, business picked up a little bit and he was able to hire a new employee. He actually created a job, and in his letter he says, "I must add that I literally took someone off welfare who received \$1,600 a month in family benefits and gave them a job."

But in your Ontario, Premier Rae, he was penalized. Mr Cope was fined \$145 by the Workers' Compensation Board for underestimating his payroll.

Later today, I'm sure we'll hear your Treasurer boasting about how his budget will create jobs. I'm sure Mr Cope will find a certain irony in those words. Premier, why is your government punishing small business for creating jobs?

**Hon Bob Rae (Premier):** The member's question is I think going to be part of a broader discussion that no doubt will happen when the Minister of Finance delivers his budget in a few minutes, and no doubt the individual business to which you're referring and many others will be deeply interested in the news that's contained in the Minister of Finance's budget.

I look forward to hearing from the honourable member and hearing some very clear indications of strong support from him for some of the approaches we're taking. I'm sure that even for a brief miracle moment there will be a point at which the spirit of partisanship will depart from the soul of the member from Mississauga, and he will appreciate and get to his feet and he will be on his feet in the next question period praising this government for the steps it has taken.

Obviously I don't have access to a file which would allow me to comment on any individual case with respect to the workers' compensation situation, and you would perhaps appreciate that, but no doubt the member will provide me with all the data and we will make inquiries—the Minister of Labour will—and we'll try to answer the question in some considerable detail, but I have a feeling that you may have taken some facts out of context.

**Mr Mahoney:** I'd be delighted to share this letter, and it's not an isolated case, I can tell you. This is a letter from a small business person who created a job and has been penalized for doing that by your Workers' Compensation Board.

I find it somewhat passing strange that Bob Rae would lecture me or anyone else on partisanship in this place or anywhere else, since he's considered the past master of blind partisan attitudes around this place.

I have another example from the Juno Group, a company that did the opposite, that actually overestimated its payroll for purposes of WCB. A letter from that company says: "Would you please explain to me why we are being charged interest when we overestimated the payroll? We overpaid the required premiums and we received eventually a credit for the overpayment. Traditionally, estimates have been overestimated in order to avoid interest and penalties for underestimating."

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** It happened to me when I was in business. It's not new.

**Mr Mahoney:** Does that make it right? He says here, "You indicated to me that an employer is now going to be charged interest whether they overestimate or underestimate the payroll."

These small businesses want some answers. They don't want to listen to your flippant retort about some idea that might or might not appear in the budget. They want some answers. We've got a company that overestimated—

**The Speaker (Hon David Warner):** Would the member place a question, please.

**Mr Mahoney:** —and a company that underestimated. One was penalized, one was charged interest.

Premier, my question: Can you explain to the Juno Group and to Mr Cope how you can make the Workers' Compensation Board more user-friendly for small business and how you will remove the red tape and the unfair penalties and/or interest charges levied by the Workers' Compensation Board?

**Hon Mr Rae:** First of all, we will have a chance to discuss workers' compensation, I hope, during the summer months in committee when the—

**Mr Mahoney:** So they can wait.

**Hon Mr Rae:** No, I'm not suggesting anything. Those individual cases can be referred directly to the board and we can get some policy responses and some clear—

**Mr Mahoney:** Hundreds, maybe thousands of them.

**Hon Mr Rae:** We'll deal with them. I would have thought the honourable member today might have made reference to the fact that the Conference Board of Canada today announced—on May 5—that consumer confidence is higher today in the province of Ontario than at any time in the last five years. I would have thought that the honourable member, knowing his generosity, would have been quoting: "Ontario to Lead Growth, Toronto-Dominion Bank Says."

All the indicators speak to recovery, not to the kind of doom and gloom and nasty negativism that we constantly see from the Liberal Party opposite.

1450

## CLOSING OF CAMPGROUNDS

**Mr Noble Villeneuve (S-D-G & East Grenville):** I have a question for the Minister of Labour. Can he explain why a number of parks closed in previous years by the St Lawrence Parks Commission, presently growing weeds, look like they're going to be staying empty again this summer? This is prime waterfront property, and the reason they're staying empty is because of the Successor Rights (Crown Transfers) Act. That directly relates to Bill 40. What can we do in this House to open these parks, to accommodate tourists and to bring jobs?

**Hon Bob Mackenzie (Minister of Labour):** Surely the member across the way knows that the purpose of the successor rights legislation in Bill 40 was to make sure that workers did not lose the benefits they'd gained, where their company closed or was taken over by another outfit. Surely you don't disagree with that.

**Mr Villeneuve:** The local labour council in Cornwall agrees that they should waive this particular section. Surely that's got to be a pretty good message for you and for the government. They're looking to waive. These are prime waterfront properties that bring tourists to my area. Minister, will you please look at this and have these parks opened, into the hands of private people who are prepared to do it? It will cost you nothing. It will bring in revenue. It will create jobs. What can we do to make this happen?

**Hon Mr Mackenzie:** Where there is a legitimate problem, and we're trying to come up with answers in terms of some of the abandoned railways as well, we are willing to take a look at it. You don't start that out, though, by deciding you're going to destroy the Labour Relations Act in the province of Ontario.

**The Speaker (Hon David Warner):** The time for oral questions has expired. The honourable member for Kenora.

## CORRECTION

**Mr Frank Miclash (Kenora):** I wish to correct the record on something I said earlier on in question period. I have documentation in front of me which will correct the record. It's in a letter to the Minister of Natural Resources dated April 27, and it reads:

"The council of the township of Sioux Narrows was very shocked to hear that discussions are being held regarding the closure of Sioux Narrows"—

**The Speaker (Hon David Warner):** I understood that the member for Kenora—no. The member knows it's if he's correcting his own record, not someone else's, but where he's correcting his record—

*Interjections.*

**The Speaker:** Is this based on something you had said earlier?

**Mr Miclash:** Yes, Mr Speaker. I go back to something I said in documentation here. I just wish to correct and make clear the statement I made regarding the park closure. I think this document will do it, if you will allow me to read the first paragraph. It's in a letter dated April 27 to the Minister of Natural Resources, and it states:

"The council of the township of Sioux Narrows was very shocked to hear that discussions are being held regarding closure of the Sioux Narrows Provincial Park. We are on record stating that if the park is to be closed, the township would like the first right of refusal," and to date the township has received no official notice that the closure is being considered.

That is to correct the record on something I said to the minister earlier in question period.

## PETITIONS

## EMERGENCY SERVICES

**Mrs Irene Mathysen (Middlesex):** I have a petition from Middlesex constituents who utilize the emergency services at Four Counties General Hospital in Newbury. These are approximately 16,000 of my constituents who depend on Four Counties.

The petition reads, "To the Legislative Assembly of Ontario," and calls upon the Ministry of Health and the Ontario Medical Association to resolve the issue of emergency medical coverage in rural emergency departments and ensure that rural residents have the adequate emergency care to which they are entitled.

I have signed my name to this petition.

## MENTAL HEALTH SERVICES

**Mr Tony Ruprecht (Parkdale):** I have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the NDP government is hell-bent on establishing a 20-bed forensic facility for the criminally insane at the Queen Street Mental Health Centre; and

"Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social service organizations and hundreds of licensed and unlicensed rooming houses in all of Canada; and

"Whereas there are other parts of Ontario where the criminally insane could be assessed and treated; and

"Whereas no one was consulted, not the local residents and business community, leaders of community organizations, education and child care providers, and not even the NDP member of Parliament;

"We, the undersigned residents and business owners of our community, urge the NDP government of Ontario to immediately stop all plans to accommodate the criminally insane in an expanded Queen Street Mental Health Centre until a public consultation process is completed."

I'm signing my name to this petition.

## COLLINGWOOD GENERAL AND MARINE HOSPITAL

**Mr Jim Wilson (Simcoe West):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas continued government funding cutbacks will force the Collingwood General and Marine Hospital to close eight more beds and these cutbacks are having a continued negative impact on employment in the Collingwood area;

"Whereas the government is failing to adhere to their own 'Principles of Restructuring' which states that



restructuring of the hospital sector must be linked to equitable funding, appropriate and accessible community-based health services, and that restructuring initiatives must address the impact of these changes on hospital staff, the local economy and the health care needs of the community;

"Whereas the government refuses to give the green light to redevelop the Collingwood General and Marine Hospital, even though the provincial government announced funding for the project in 1987, and even though the General and Marine cannot achieve additional operating efficiencies unless the hospital is redeveloped;

"Therefore, we demand that the provincial government immediately approve the redevelopment of the General and Marine Hospital and that the hospital be given some financial breathing space to assess the impact of these bed closures on the labour and health care needs of the Collingwood community."

This is part of a 6,000-name petition, and I've signed my name also.

#### SEXUAL ORIENTATION

**Mr Will Ferguson (Kitchener):** I have a petition on behalf of the good people of Kitchener, Waterloo and Cambridge. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a sacred union between a man and a woman are under attack by Liberal MPP Tim Murphy in his private member's Bill 45; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas this bill has not been fully examined for financial and societal implications;

"We, the undersigned, petition the province of Ontario and the Ontario Legislature to stop this bill and to consider its impact on families in Ontario."

#### FIREARMS SAFETY

**Ms Sharon Murdock (Sudbury):** I have approximately 200 signatures here from the Ontario Federation of Anglers and Hunters:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered"—although it should be "grandparented"—"those of us who have already taken safety courses and/or hunted for years; and

"Whereas we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

As required by the table and the House, I affix my signature thereto.

#### LAPAROSCOPY

**Mrs Elinor Caplan (Orillia):** I have a petition signed by approximately 100 citizens of the province of Ontario:

"To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned residents of Ontario, beg leave to petition the Parliament of Ontario as follows:

"Whereas OHIP fee structures encourage hysterectomies over operative laparoscopies;

"Whereas women must wait up to eight months for operative laparoscopic surgery for endometriosis, often enduring severe pain and endangering their health;

"Whereas up to one in 10 women are affected with endometriosis;

"Whereas the society of obstetricians and gynaecologists have found restricted expertise, limited training courses in Canada, lack of recognition for laparoscopic surgeons by OHIP, lack of funding and limits on emergency room time for women who seek treatment for endometriosis;

"Whereas operative laparoscopy can save a woman's organs and is less surgically invasive to a woman, and the US is at least five years ahead of Canada in this;

"Wherefore, the undersigned, your petitioners humbly pray and call upon Parliament to act in the public interest to encourage a task force to address the above issues and find solutions in regard to the detrimental effects of government cutbacks in health care and, as in duty bound, your petitioners will ever pray."

I add support to this petition in their request for a task force and submit this to the Legislative Assembly.

#### DANGEROUS OFFENDERS

**Mr Chris Hodgson (Victoria-Haliburton):** I have a petition signed by dozens of residents in our area and surrounding areas:

"To the Parliament of Ontario:

"Whereas we, the citizens of Ontario, agree that clear dealings between the present justice system and the public establish a positive relationship for all concerned;

"Whereas one building block for such a relationship is a fair and accurate way of dealing with habitual child sex offenders;

"We, the undersigned, petition the Parliament of Ontario as follows:

"We believe that one way of dealing with convicted habitual child sex offenders upon release is that his/her photo and address be made available to the public for a minimum of seven years in whatever area of the province he/she takes residence."

1500

#### FIREARMS SAFETY

**Ms Margaret H. Harrington (Niagara Falls):** I have a petition from the Ontario Federation of Anglers and Hunters, some of them from the Niagara region, in fact Niagara South, the communities of Stevensville, Fort Erie, Crystal Beach and Ridgeway. What they say is:

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I believe that about 200 people from the riding of Niagara South have signed this.

#### SALE OF AMMUNITION

**Mr Tim Murphy (St George-St David):** I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas it is imperative that we make our streets safe for law-abiding citizens;

"Whereas any person in Ontario can freely purchase ammunition, even though they do not hold a valid permit to own a firearm;

"Whereas crimes of violence where firearms are used have risen at an alarming rate; and

"Whereas we must do everything within our power to prevent illegal firearms from being used for criminal purposes;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To immediately pass Liberal Bob Chiarelli's private member's bill, Bill 151, to prohibit the sale of ammunition to any person who does not hold a valid firearms acquisition certificate or Ontario Outdoors Card."

It's signed by a number of residents of the city of Toronto, and I affix my signature in support.

#### SEXUAL ORIENTATION

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas traditional family values that recognize marriage as a union between a man and a woman are under attack by Liberal MPP Tim Murphy in his private member's Bill 45; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no PC support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently with the legislative committee on the administration of justice and is being readied for quick passage in the Legislature; and

"Whereas this bill has not been fully examined for financial and societal implications;

"We, the undersigned, petition the Legislative Assembly to stop this bill and future bills which would grant same-sex couples the right to marry, and to consider its impact on families in Ontario."

I totally endorse this petition and have signed it.

#### MINISTRY RELOCATION

**Mr Drummond White (Durham Centre):** I have here a petition from the citizens of Oshawa, particularly from the Downtown Business Management, to the Legislature of the province of Ontario and to my friend

the Minister of Municipal Affairs.

"Whereas the original municipality of Durham has decided to move the offices of its department of social services from Bond Street West in the city of Oshawa to 850 King Street West, also in the city of Oshawa; and

"Whereas the undersigned believe this decision is not in the financial best interests of the regional municipality of Durham and is certainly not in the best interests of the service of the clientele; and

"Whereas the regional municipality of Durham is acting contrary to the intent of its own new official plan;

"We, the undersigned, petition the Legislature of the province of Ontario and the Minister of Municipal Affairs for the province of Ontario to recommend to the Lieutenant Governor in Council to issue a commission under section 178 of the Municipal Act, chapter M.45, RSO 1990, to inquire into the decision of the regional municipality of Durham."

I'd like to point out in the members' gallery a councillor from the city of Oshawa, Irv Harrel, and to note that many hardworking business people have already signed this petition and that I will affix my signature thereto.

#### GAMBLING

**Mr James J. Bradley (St Catharines):** This is to the Legislative Assembly of Ontario.

"Whereas the New Democratic Party government has traditionally stated a commitment to family life and quality of life for all citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party government has stated a historical concern for the poor in society, who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

I affix my signature.

#### HAEMODIALYSIS

**Mr Chris Stockwell (Etobicoke West):** I have a petition to the Legislative Assembly of Ontario:

"Whereas several patients from the town of New



Tecumseth are forced to travel great distances under treacherous road conditions to receive necessary haemodialysis treatments in Orillia or Toronto;

"Whereas the government has done nothing to discourage a patchwork dialysis treatment system whereby some patients receive haemodialysis in-home and others travel long distances for treatment;

"Whereas there are currently two dialysis machines serving only two people in New Tecumseth and one patient is forced to pay for her own nurse; and

"Whereas the government continues to insist they are studying the problem, even though they have known about it for two years; and

"Whereas the Legislature passed Simcoe West MPP Jim Wilson's private member's resolution which called for the establishment of dialysis satellites in New Tecumseth and Collingwood;

"We demand the government establish a dialysis satellite immediately in the town of New Tecumseth."

I will affix my name to this as well.

#### FIREARMS SAFETY

**Mr Daniel Waters (Muskoka-Georgian Bay):** I too have a petition today, from a number of my neighbours, friends and relatives, actually, that goes:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses or hunted for years; and

"Whereas we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we do not desire to own;

"We, the undersigned, petition the Premier of the province, Bob Rae, the Solicitor General, David Christopherson, and the Legislative Assembly as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take their federal firearms safety course or examination."

I support this and therefore affix my signature.

**The Speaker (Hon David Warner):** The time allotted for the presentation of petitions has expired.

**Hon Brian A. Charlton (Government House Leader):** I seek the consent of the House to suspend the proceedings until 4 pm.

**The Speaker:** Do we have unanimous consent to suspend proceedings until 4 o'clock? Agreed.

There will be a bell at five minutes to 4 to summon the members to the House. This House stands in recess until 4 o'clock.

*The House recessed from 1508 to 1600.*

#### ORDERS OF THE DAY

##### 1994 ONTARIO BUDGET

##### BUDGET DE L'ONTARIO DE 1994

**Hon Brian A. Charlton (Government House Leader):** Government notice of motion number 26.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** Government notice of motion number 26, Mr Laughren.

**Hon Floyd Laughren (Minister of Finance):** Mr Speaker, I move, seconded by Mr Rae, that this House approves in general the budgetary policy of the government.

**The Speaker (Hon David Warner):** Is there any member who has not received a copy?

**Hon Mr Laughren:** I rise to present the 1994 budget of the province of Ontario.

This budget marks another step in the government's plan to invest in jobs and preserve important services while bringing the deficit down.

This budget cuts taxes to encourage companies to hire new workers.

This budget expands our commitment to jobs. It moves forward with major highway and transit investments, it trains workers in new skills and it creates employment for our young people.

This budget reduces overall program spending for the second year in a row, while at the same time preserving our funding commitment to hospitals, schools, colleges, universities and municipalities.

This budget reduces the deficit for the second year in a row and keeps us on target to balance our operating budget by 1998.

And this budget contains no new taxes and no tax increases.

The government's plan is working. Jobs are being created. We are cutting taxes to create even more. Public services are being preserved and spending is under control. The deficit is down more than 30% from two years ago.

Le plan du gouvernement est efficace. Des emplois sont créés. Nous réduisons les impôts afin de créer encore plus d'emplois.

The plan reflects our confidence in Ontario, its people and its economic future.

Ontario's economy is getting stronger. Growth in 1993 was the best in four years, hitting 5.3% in the last quarter. Economic growth in Ontario is expected to lead the industrialized world between now and 1997. Last year close to 80,000 new jobs were created, and over the next three years there will be 350,000 more.

Ontario is getting a vote of confidence from business investors. Investment in machinery and equipment is expected to increase by over 10% to more than \$21 billion this year.

Major investment plans have been announced across the province: \$4 billion by the auto industry, \$160 million by TransCanada PipeLines in North Bay and Kapuskasing, \$76 million by Domtar in Cornwall, \$41 million by Bombardier in Thunder Bay, \$40 million by St Joseph Printing in Concord and \$30 million by Dimona Aircraft in London.

Consumer confidence is growing too. At the end of 1993, confidence was at its highest level in more than four years. Home sales are up 30% this year and auto sales are up 22%.

And hot off the press, the Conference Board this morning released a report that shows that business confidence and consumer confidence are both at their highest level in the last five years. Ontario is on the move.

The economic upswing is being sustained by the underlying strength of this economy: Ontario's people and their education, their skills and their hard work.

The economic indicators are encouraging. But this government knows that statistics do not ease the pain and the frustration of people who want to work but cannot find a job.

That is why we are expanding our commitment to jobs and building new partnerships with employers and workers to create new opportunities.

In each of the last three years, through investment in infrastructure and training, this government and its partners have created and sustained an average of 145,000 jobs and this year we'll do even more, about 166,000 jobs.

The economy has been growing, but employment has been lagging. Small and medium-sized businesses, which are the biggest generator of jobs in the economy, have told us that payroll taxes can stand in the way of new hiring.

To address this concern, this budget cuts payroll taxes to provide a permanent incentive to companies to take on new workers.

Effective May 1, businesses that expand their payroll will not pay any additional employer health tax on their increased payroll for the first 12 months. That means businesses hiring additional new workers will not pay any payroll tax on those workers for their first year on the job.

This jobs incentive will provide employers with an extra competitive edge when they hire in Ontario. The message to employers is clear: The time to hire is now.

With this measure in place, Ontario's payroll taxes and employer-paid health benefits on new employees will be 29% lower than in Quebec and 49% lower than the average in the United States.

This jobs incentive is a \$200-million investment this year and it will mean 12,000 new jobs in Ontario.

This government is supporting businesses that are creating jobs in the new economy. Many of Ontario's new high-quality jobs will come from companies that invest in research and development. When firms develop new products and services and successfully market them around the world, economic activity in Ontario increases and so does the number of jobs.

1610

To encourage and support companies that invest in research and development, I am introducing an innovation tax credit. This tax credit will be refundable, to ensure that small and medium-sized firms, including startup companies, will benefit. It will provide \$35 million in assistance each year. It will reduce the after-tax cost of R&D for these firms by 10%.

The government is increasing access to capital for

small and medium-sized businesses. We will introduce legislation to remove barriers that discourage loan and trust companies and labour-sponsored investment funds from lending money to, and investing in, new businesses. We will also change the rules for co-ops to improve their capacity to obtain capital from their members and from non-members as well. We will work with financial institutions to develop a way to collect and publish information on the loans they provide, so we can determine which types of businesses are having difficulty getting access to capital. We hope that this information will help us to work in partnership with business and financial institutions to improve financing that creates jobs, and we call on the federal government and federally regulated banks to follow our lead.

We are building new partnerships within Ontario's leading sectors. Through the sector partnership fund, we are bringing together business, labour, customers and suppliers to develop new initiatives like the Food Technology Centre in Guelph and the Ontario Centre for Environmental Technology Advancement in Toronto. The Minister of Economic Development and Trade will provide more details.

We are expanding the green homes and green industries initiatives, which provide home owners and businesses with expert advice and assistance on how to reduce waste and save water and energy. These initiatives create new customers for Ontario firms that manufacture green products. Over 11,000 jobs will be generated over three years. The Minister of Environment and Energy will provide details on this new green initiative.

Our Jobs Ontario investment in highways, schools, hospitals, and water and sewer facilities have played an important role in creating jobs over the last three years. The new capital corporations are doing the business of government differently. They are forming partnerships with private firms to accelerate the pace and cut the cost of building infrastructure that Ontario will need as the economy moves into the next century.

Through the Ontario Transportation Capital Corp, the \$1-billion Highway 407 will be completed by 1999. That's 16 years ahead of schedule. The 407, across the top of Metropolitan Toronto, will be one of the first all-electronic toll highways in the world. More than 20,000 jobs will be created over the next five years.

When construction is finished, a significant transportation bottleneck for our exporters and manufacturers will be eased, enhancing Ontario as a top spot for investment in the auto industry and other important sectors.

In Metro Toronto, construction will begin this year on new transit lines—the first new subways to be built in 16 years. Ontario is committed to making four Metro lines and the Mississauga Transitway become a reality, creating 50,000 jobs in this province.

Through the newly created Ontario Clean Water Agency, the province is improving the way we build municipal water and sewer facilities. Our \$350-million investment through Jobs Ontario Capital, coupled with our commitment of \$405 million from our municipal partners, will fund more than 190 projects across the province, supporting 13,000 jobs over the next two years.



Through Jobs Ontario Capital, we are also joining with our municipal partners and the federal government in the national infrastructure program. This three-way partnership will create 37,000 jobs over the next two years.

We are continuing to support jobs in the housing industry as well through Jobs Ontario Homes. By the end of this year, we will be supporting 112,000 affordable non-profit homes, twice as many as in 1990. It's a record to be proud of.

We are assisting more people to own their own homes.

The government will establish a \$50-million housing loan guarantee fund to help lower-income families buy homes through community-based initiatives. The province will guarantee second mortgages provided by private investors. This measure will assist individuals and families who can carry monthly mortgage payments but who do not have access to conventional financing. The Minister of Housing will provide further details.

This budget introduces legislation to extend the Ontario home ownership savings plan, as I promised in December. This program has helped more than 180,000 Ontarians buy their first home, and it will continue to help create jobs in the home-building industry.

The new economy, with its changing technologies and new types of work, requires renewed cooperation among labour, business and government to ensure that workers have the skills for the jobs that exist today and the jobs that will be created tomorrow.

The government will invest over \$1 billion in training, adjustment and work experience this year. More than 370,000 Ontarians will benefit, and that's up 50% since 1990-91.

At a time when youth unemployment remains unacceptably high, this budget provides funds to assist nearly 90,000 young people to get valuable on-the-job experience and training this year. Over 23,000 of them will get jobs this summer through Jobs Ontario Summer Employment. Our investment in summer employment and training for young people this year is 40% higher than in 1990-91.

We are also creating jobs in partnership with communities through Jobs Ontario Community Action. Our investment of \$65 million has resulted in commitments of double that amount from community economic development partners. We will invest a further \$90 million this year.

Our plan includes a commitment to overhauling social programs to help unemployed people get back into the workforce. Over the past two years, this government has pioneered a model program that places the long-term unemployed and people on social assistance in private sector jobs that have a future, not short-term, make-work jobs.

Jobs Ontario Training has created 46,000 job opportunities in private companies. People who get jobs and training through this program receive a steady paycheque. The average wage is \$21,000. That means those workers can provide for themselves and for their families, and the cost to taxpayers is much less than welfare. Jobs Ontario Training will save taxpayers at least \$190 million in social assistance costs.

Helping low-income parents to participate in the workforce also means providing more of them with access to affordable child care. We have increased the number of subsidized child care spaces by 47% since 1990, bringing the total to more than 68,000 spaces this year.

This government is committed to ending welfare as we know it and replacing it with a program that helps people get jobs. This year we intend to move forward with Job Link, a key element of our reform strategy. This innovative program will build on the success of Jobs Ontario Training, and will increase the number of job placements and training opportunities available to social assistance recipients. It will provide job-search skills that help people find work.

The Minister of Community and Social Services will provide details of our plans. We are looking to the federal government to support these measures by providing Ontario's fair share from the special fund for innovations in provincial social assistance programs.

We know that government has to become more efficient, more innovative and more adaptable. By providing important services to workers and employers, governments support economic expansion. But those services must be provided at an affordable cost.

This government is turning around two huge organizations whose problems we inherited from previous governments: Ontario Hydro and the Workers' Compensation Board.

With the government's support, Ontario Hydro is going through one of the largest corporate restructurings in Canada's history so we can keep the cost of electricity under control. This year, rates are frozen and, for the rest of this decade, increases will be no higher than the rate of inflation.

1620

We are also tackling the growth in the unfunded liability of the Workers' Compensation Board, another legacy of past governments. Our reforms will reduce the Workers' Compensation Board's projected unfunded liability by \$18 billion over the next 20 years, while providing decent pensions for older injured workers. We are establishing a royal commission to help put the WCB on a secure footing for the future. Our reforms will provide security and justice for workers while holding the line on employers' costs, and that's good for the Ontario economy.

At the same time, this government is providing a competitive corporate tax system to attract new investment and create jobs. Ontario's corporate income tax rate for manufacturers is more than 4 percentage points below the US average.

To respond to concerns that new businesses have to spend too much time on government red tape, we are moving to implement the recommendations of a business advisory committee on ways to reduce the paperwork burden. By September 1, we will introduce one-stop registration for new businesses at locations across Ontario. Beginning in 1995, we will make it possible for businesses to use a single form to remit retail sales tax

and employer health tax. By early 1996, we will include corporate income tax instalments in the single remittance process. These measures mean that Ontario's entrepreneurs can spend less time on paperwork and more time creating jobs.

Overall, this budget takes action to help put more Ontarians back to work. We are cutting taxes to create jobs. We are helping businesses that invest in research and development. We are building the highways and subways this province needs. We are supporting training for Ontario's workers. We are helping people get back to work. We are forging a new Ontario Hydro and a revitalized workers' compensation system. And we are keeping our corporate tax system competitive. These are essential parts of this government's plan.

An equally important part of our plan is ensuring that Ontario has affordable services that work. Ontarians do not want their government to slash services. They want services that work better and cost less.

La population de l'Ontario ne veut pas que son gouvernement élimine les services. Elle veut des services qui fonctionnent mieux et qui coûtent moins cher.

Members will appreciate the fact now why I need a French college in my riding.

The social contract is helping to protect those services. With our public sector partners, we successfully realized savings of almost \$2 billion last year. As a result, we avoided up to 40,000 layoffs of public sector employees.

A full and complete accounting of social contract savings is attached in budget paper C.

But the social contract is about much more than short-term savings. It is also about finding ways to provide services more effectively for the longer term. That process has begun in hospitals, in schools, in local government and throughout the public sector.

The social contract is providing a three-year window in which efficiencies can be implemented. When it ends, the \$2 billion in annual savings cannot be built back into public sector budgets. We will work with our public sector partners to ensure that the necessary efficiencies are achieved.

Ontarians want to know that they can count on getting quality health care for themselves and their families. We are ensuring that medicare is preserved by making it affordable. During the 1980s, health care costs grew at an average rate of 11 per cent per year. Over the last three years, we have been able to provide quality health care services with no overall increase in spending.

One of the things we are doing to keep medicare affordable is introducing new health cards so that services go only to those who are entitled to them.

By controlling costs, we are able to allocate money where it is really needed, to areas like long-term care, cardiac care and cancer treatment.

Long-term care in communities is being expanded so that seniors and people with disabilities can live in their own homes as long as possible. This increased support means that through the home care program, for example, an extra 200,000 people are able to live independently. We are continuing to put additional resources into these

programs, bringing community-based health care spending to almost \$1 billion. That is an increase of over 50% from 1990-91.

Hospitals have cut waiting time for cardiac care by two-thirds since 1989 by establishing a network to match people who need care with available beds and services.

We have launched a \$15-million cancer treatment and prevention strategy, which will virtually eliminate waiting lists for bone marrow transplants and increase availability of radiation machines and technicians.

In Windsor and in dozens of other centres across Ontario, services are being carefully planned for the community, bringing together hospitals and community-based services for greater efficiency and better service. Ontario's health care system is meeting the challenges, providing excellent care to all Ontarians on an equal basis.

Ontarians want to know as well that their children are getting a good education. This government has provided leadership in setting standards for our students and school systems, and in testing their progress against those standards. We have kept our funding commitments for Ontario's schools, and we are working with school boards so that more of the taxpayer's education dollar is spent in the classroom.

We are encouraging school boards to become less top-heavy. So far, 50 of the 172 school boards have decided to reduce the number of trustees.

Many boards have used provincial funding assistance to streamline operations, share facilities and reduce duplication in such areas as administration, purchasing, busing, libraries and computer networks.

The government is moving to provide greater fairness in the funding of our schools. We will introduce legislation so that non-residential assessment currently shared in a community will be divided more equitably among school boards. The new basis of sharing will be the number of pupils served by each board. This change will take effect in 1996 and will be phased in to allow school boards to plan their budgets.

The Royal Commission on Learning is consulting with Ontarians on the key issues facing our schools: how they are governed, what should be taught and who is accountable for educating our children. The royal commission's report this fall will pave the way for significant reforms to Ontario's education system.

Just as Ontarians want us to make public services more affordable, they also want government to be less wasteful and more efficient, and that's exactly what we are doing.

We are implementing a host of commonsense measures that cut costs in government. Some save millions, others save thousands, but they all add up to better value for tax dollars.

We are working with our employees and their representatives to identify savings. Through this joint process, for example, we are saving \$500,000 in travel costs by making greater use of teleconference calls. And we are saving \$2.2 million by replacing courier services with electronic mail and fax networks and using a new mail-coding system.



We are eliminating a million pieces of paper a year by improving internal accounting processes.

We have saved \$42 million a year by cutting the number of ministries from 28 down to 20.

We have reduced the size of the Ontario public service by more than 4,500 positions, with almost no layoffs, and we expect to achieve our target of 5,000 this year.

In total, we have reduced the government's overhead costs by 16%, or \$1.2 billion, in the last three years.

1630

We are saving \$350 million by managing social assistance better, cracking down on fraud and making sure benefits go to those in need.

This session, the government will ask members for speedy passage of legislation to make government work even better. We will introduce a bill that will change statutes and regulations to cut red tape, reduce costs to taxpayers and improve services to the public. And as more efficiencies are identified, we will bring forward changes each year.

The steps we have taken to control spending, to cut waste and duplication, and to find new ways to provide services more efficiently have allowed us to reduce the deficit and to keep it going down.

We are reducing government spending. Last year the cost of government programs fell—for the first time since 1942. And this year our program spending will decline again.

Even after adjusting for differences in inflation, the growth in program spending under this government has been far lower than under both of our predecessors.

A year ago we said that with the support and commitment of Ontarians, we would bring the 1993-94 deficit below \$10 billion. Today I can tell Ontarians that with your help, we have done exactly that. Last year's deficit came in at \$9.4 billion. That's two tenths of 1% from what we projected in our 1993 budget.

This year, our deficit will be even lower, at \$8.5 billion. That is a cut of more than 30% from two years ago.

Our revenue projection for this year, which is based on cautious assumptions, is still far from buoyant. In part, this reflects the fact that Ontarians are not getting their fair share from the federal government—for social assistance, for training or for new immigrants.

We had hoped that the new federal government would restore Ontario's fair share of funding. But instead it has continued to shortchange this province, as did its predecessor.

Premier Rae has said clearly that we welcome the prospect of improvements in the efficiency and delivery of social programs and in the fiscal and practical arrangements between the two levels of government, but any such reform must reinforce, not undermine, Canada's record as a compassionate society. Reform must come about through genuine joint decision-making.

We have said repeatedly that reform must not be achieved by offloading costs to the provinces, and there must be an immediate end to discriminatory treatment

against Ontario citizens.

The record in this area to date is far from encouraging. Ontario taxpayers are indeed getting shortchanged by Ottawa. Let me cite two examples.

In eight provinces, the federal government provides 50% of the cost of social assistance under the Canada assistance plan. But in Ontario, which was hit hardest by the recession, the federal government pays only 29%. This means, for example, that Quebec gets \$3,300 for every social assistance recipient. Ontario gets \$1,800 only. That one measure to deny Ontario its fair share will cost this province \$1.7 billion this year.

It is the same story for training. Ontarians make up 38% of Canada's labour force, but we receive only 27% of available federal funds for training and adjustment.

Ontario had no choice but to cut our tobacco taxes when the federal government and Quebec made their deal to reduce taxes. That measure cost us another half-billion dollars in lost revenues.

Despite revenue shortfalls, we are preserving services in hospitals, in schools, in towns and cities across this province, and we are doing so without raising taxes.

We are bringing the deficit down in a balanced and responsible way. To reduce the deficit even more this year would slow the recovery and job creation and undermine the services Ontarians value.

This budget introduces measures to harmonize Ontario corporate income taxes with the federal Income Tax Act. All of the revenues from these new measures are being redirected to the job-creating tax cuts in this budget.

The measures we introduced a year ago put Ontario's finances on a course that will lead to a balanced operating budget in 1998. With the measures in this budget, we will stay on track to meet that target. By continuing to hold program spending growth below the rate of inflation, Ontario will achieve a balanced operating budget in 1998.

In summary, this is a budget that looks to the future with confidence. Under the courageous and compassionate leadership of Premier Bob Rae, this province is charting a strong and confident course. You can see that we are in as buoyant a mood as the economy is.

Jobs are being created—350,000 of them in the next three years. This government is expanding its commitment to jobs. We are cutting taxes to encourage employers to hire new workers. We are moving forward with major highway and transit investments and innovative job programs. We are supporting firms that are investing in Ontario and creating new markets around the world.

This government is providing affordable services that work. Vital public services, like education and medicare, are being preserved and improved.

This government is getting better value for tax dollars. Spending is under control and the deficit is down. We are on track to balance the operating budget in 1998.

There are no new taxes, and no tax increases.

The government's plan is working. We are building a stronger Ontario for today and tomorrow.

Thank you, Mr Speaker. Merci, Monsieur le Président.

**Mrs Lyn McLeod (Leader of the Opposition):** I am pleased to move the adjournment of this debate.

**The Speaker:** Mrs McLeod moves the adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

**Hon Mr Charlton:** Mr Speaker, I would like to ask the House for unanimous consent to return to introduction of bills.

**The Speaker:** Do we have unanimous consent to revert to introduction of bills? Agreed.

#### INTRODUCTION OF BILLS

##### ONTARIO LOAN ACT, 1994

##### LOI DE 1994 SUR LES EMPRUNTS DE L'ONTARIO

On motion by Mr Laughren, the following bill was given first reading:

Bill 159, An Act to authorize borrowing on the credit of the Consolidated Revenue Fund / Projet de loi 159, Loi autorisant des emprunts garantis par le Trésor.

#### BUSINESS OF THE HOUSE

**Hon Brian A. Charlton (Government House Leader):** I'd take a few minutes to make a statement on next week's business.

Pursuant to standing order 55, I wish to indicate the business of the House for the coming week.

On Monday, May 9, and Tuesday, May 10, we will

continue consideration of government notice of motion number 26, the budget debate, standing in the name of Mr Laughren.

On Wednesday, May 11, we will consider government notice of motion number 27, standing in the name of Mr Rae.

On Thursday, May 12, during private members' public business, we will consider ballot item number 55, second reading of Bill 158, standing in the name of Mr Martin, and ballot item number 56, second reading of Bill 141, standing in the name of Mr Mahoney.

On Thursday, May 12, in the afternoon, we will debate third reading of Bill 120, residents' rights, and third reading of Bill 113, the Liquor Control Act. We will then consider committee of the whole on Bill 138, the Retail Sales Tax Act, and Bill 110, regarding the employer health tax.

Mr Speaker, I move the adjournment of the House.

**The Speaker (Hon David Warner):** Mr Charlton moves adjournment of the House. Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until 1:30 of the clock Monday next.

The House adjourned at 1642.

### ERRATUM

No.	Page	Column	Lines	Should read:
124	6101	1	20	Bill Pr114, An Act respecting Hamilton Community
			21	Foundation.



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A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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No. 126



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**Legislative Assembly  
of Ontario**

Third Session, 35th Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 35<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

Monday 9 May 1994

**Journal  
des débats  
(Hansard)**

Lundi 9 mai 1994



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
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*50th anniversary*

**1944–1994**

*50<sup>e</sup> anniversaire*

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 9 May 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 9 mai 1994

The House met at 1333.

Prayers.

## MEMBERS' STATEMENTS

### MINISTRY OF THE ATTORNEY GENERAL

**Mr Robert Chiarelli (Ottawa West):** The Attorney General provides another example of the government's incompetence. Despite hiring five new communications managers last year, this ministry continually creates communications crises.

First there was the communications nightmare created by the new powers-of-attorney law. The minister created unnecessary distress for tens of thousands of affected Ontarians simply because she would not or could not communicate in a timely manner what the new law about powers of attorney did and didn't do and when it would be effective.

Now we hear that a program to divert mentally ill people out of our criminal courts has been established and it seems nobody, but nobody, was made aware of it: not defence lawyers, not judges, not crown attorneys and not even mental health centre administrators where victims are supposed to go for help.

The ever-increasing communications budget of the Attorney General does not seem to be enough to get the simplest of messages out to those most obviously affected by her ministry's policies. Surely the Attorney General won't have to follow the lead of Mike Harris and the Conservative Party and go out of the country to hire American communications experts to get her message out.

### FOREST INDUSTRY

**Mr Ernie L. Eves (Parry Sound):** I'm pleased to have the opportunity this afternoon to introduce representatives of the Mattawa Communities Socio-Economic Task Force to the Legislative Assembly. Judy Skidmore, Fern Levesque, Caren Gagne, Sandra Beaudry, Steve Lamarre and Gary Bull are with us here today.

Many members will know that the media conference was held this morning. These people have travelled to Toronto today in order to meet with the ministers of Natural Resources and Northern Development and Mines to discuss the future of the wood industry in east Nipissing and northern Ontario.

An independent multistakeholder study was undertaken by the task force which clearly determined that a 10% decrease in wood supply would force at least one mill in the area to close. This translates into a loss of at least 160 jobs, which would devastate the Mattawa area. Conversely, a 10% increase in wood supply creates jobs in the same region.

To the best of my knowledge, this is the first time that a group of communities has taken steps to ensure that its traditional wood supply, a public resource, remains

accessible. This is a very proactive and responsible approach to the changes in wood supply and its effect on employment and income. The Mattawa area depends on the forest industry for approximately 80% of its existing business.

I am pleased to have the opportunity to meet with the ministers of Natural Resources and Northern Development and Mines in order to discuss the findings of the task force and its impact study, its recommendations and its efforts to protect the wood supply and the wood industry in Mattawa and area.

### LINCOLN AND WELLAND REGIMENT

**Ms Christel Haeck (St Catharines-Brock):** I rise today to pay tribute to the Lincoln and Welland Regiment in St Catharines as it celebrates 200 years of service to the community and the country.

The Lincoln and Welland Regiment traces its history back to its formation as Butler's Rangers during the American Revolution. The regiment served with distinction in the War of 1812, the First World War and the Second World War. The current regiment continues its tradition of service. Examples are assisting the civilian authorities during the blizzard of 1977 as well as participating in United Nations peacekeeping missions throughout the world.

The bicentenary celebrations began this year with a New Year's levee. Other highlights of the bicentennial include the Freedom of the Town of Fort Erie Parade, the dedication of the Memorial Gardens at which our own Lieutenant Governor will officiate, and the regimental reunion this fall.

Over a week ago, I had the pleasure of joining regiment members and supporters like Lieutenant-Colonel Cliff Baker, who is retired, Major Ken Bettes and Major Brian Doucet at the annual mess dinner at the Lake Street Armoury. These men and many other men and women like them have dedicated a good part of their lives to the Lincoln and Welland regiment and I applaud their service.

The only sad note to the bicentenary celebrations comes with the decision by the militia's Hamilton district office to cut funding to the regimental band, affectionately known in Niagara as the Links and Winks, in order to meet a federal government order to cut support to military reserve bands. We in Niagara support the Links and Winks. They're one of the oldest military bands in Canada.

**Mr James J. Bradley (St Catharines):** That's like the Golden Helmets.

**Ms Haeck:** Let's cut fairly, Mr Bradley.

*Interjections.*

**Ms Haeck:** They have used a lot of partisanship, I

have to say, from Hamilton—

**The Speaker (Hon David Warner):** The member's time has expired.

1340

#### BUSINESS REGISTRATION

**Mrs Elinor Caplan (Oriole):** I'd like to draw this issue to the attention to the Minister of Consumer and Commercial Relations. My constituent, Mr Zakrzewski, is attempting to establish a Canada-Poland Chamber of Commerce.

In February of this year he submitted an application for registration of the name, which he had already searched and paid for, to the Ministry of Consumer and Commercial Relations. He was told it would take six weeks to process his application. Mr Zakrzewski was not satisfied that the application would take six weeks, and so he wrote a letter to the Ministry of Consumer and Commercial Relations.

On April 7, he received a reply saying that due to the number of applications, it would take between eight and 10 weeks for his application to be processed. They said it had been the standard time since last summer. Mr Zakrzewski was understandably upset, so he contacted the ministry once more and, can you believe, Mr Speaker, he was told it might take up to 16 weeks to process his application.

Minister, that's four months to simply process applications to open new businesses in Ontario. Is that your idea of customer service, meeting the needs of businesses that want to do business in Ontario? Mr Zakrzewski has a right to know why it is taking so long and, Minister, you must know that new businesses are needed to help Ontario's economy grow. How do you expect people to start new companies if it takes up to 16 weeks to process the name of the company?

I hope to have an answer from the minister on this very important issue of Mr Zakrzewski, my constituent.

#### BUSINESS IN ONTARIO

**Mrs Elizabeth Witmer (Waterloo North):** For the past 10 years, we have created in this province numerous taxation and regulatory barriers which have caused employers who looked at Ontario as a prospective location for expansion or new investment to choose other jurisdictions. In the Common Sense Revolution, we have outlined our specific program for removing these barriers to economic growth, a program which offers hope and opportunity for all Ontarians.

We will eliminate the employer health tax for small businesses with payrolls under \$400,000. We will save Ontario businesses an estimated \$98.5 million by cutting WCB premiums by 5%. We will also institute a five-year freeze on hydro rates to give consumers, employers and industries stability in planning their budgets.

Every year, Ontario introduces up to 1,000 new regulations. In order to reduce this massive regulatory burden, we will appoint an arm's-length commission on red tape to eliminate every unnecessary regulation.

We will take immediate steps to reduce or eliminate interprovincial trade barriers which are costing each Ontario family as much as \$1,000 a year in lost income.

Finally, we will replace Bill 40 with a labour law package that will restore the balance between labour and management.

These are just a few of the initiatives that will not only contribute to job creation in this province, but will finally provide hope and opportunity for Ontarians in the future.

#### SERVICES IN CHATHAM-KENT

**Mr Randy R. Hope (Chatham-Kent):** I want to draw people's attention to how organizations in Chatham-Kent are rising to the challenges government has put to them to reduce the cost of providing services and protect those services we have.

In Chatham-Kent, there is a group called the Kent Area Administrators' Group that has been saving money for the past 12 years. Consisting of the two school boards, Chatham's two hospitals, the community college, the city and the county, this group has saved \$13 million.

By combining many administration and purchasing functions, these groups have found strength in numbers, working together to increase their financial independence. Reducing costs gives more flexibility to provide better service, and even new services.

Another group is the Kent Children's Services Council. It is in the process of developing a single-intake service that will make it easier for parents to find all the services needed for their children. Working with government staff, they are trying to do this within existing resources.

This statement is not just for the ears of the members present in here today but for all of Ontario on how, spending tax dollars, we can reduce the cost of providing services. In Chatham-Kent they are doing that and creating new services at the same time.

#### LEADER OF THE THIRD PARTY

**Mr Steven W. Mahoney (Mississauga West):** Mike Harris has always said he's a big fan of Brian Mulroney's free trade agreement and today we have proof, even though he seems to be running and hiding from the name "Progressive Conservative."

This morning I woke up to hear that Mr Harris's slick, American-style campaign was exactly that: American. Mike Harris, in a desperate attempt to become governor of the state of Ontario, has hired Americans to run his gubernatorial campaign. I knew Mike was starting a revolution; I just didn't know it was the American revolution.

Mike Harris thinks that it makes common sense to spend \$600,000 on political commercials produced and directed by Americans. Mr Harris thinks Ontario workers are simply not good enough for him to get the job done, and he thinks there is nothing wrong with cross-border shopping when it's for his own political gain.

Today he's in Windsor dropping boxes of tea into the Detroit River. Tomorrow he'll jump on Paul Revere's horse and ride through town shouting: "The Reform Party is coming. The Reform Party is coming." A modern-day Benedict Arnold.

I have a present for Mike Harris for his desk. He can put this on his desk in his office to show everyone in Ontario that he believes in buying American first.



## ST GEORGE'S JUNIOR SCHOOL

**Mr Chris Stockwell (Etobicoke West):** I attended this weekend one of the finest functions, just outside my riding, as a matter of fact—

*Interjections.*

**Mr Stockwell:** Holy smokes.

It was the St George's Fun Fair school day, where a number of students got together to raise money. They tried to raise money for needy causes, particularly the school itself, for renovations and certain things to clean up problems within the area. They raised \$5,000 last year, and this year they were setting their sights higher.

I want to compliment the students and the teachers, the principal, Mr McGregor, and the parents who took part in this particular function. They not only enjoyed themselves, and I enjoyed myself as well, attending this, but they also brought to the neighbourhood a sense of community when students have to be based in from the outside because of education policies of this government of having to close certain schools within the jurisdiction.

I myself was proud to be a part of this. I know the students were extremely happy. The teachers enjoyed themselves just as much too.

I'd like to thank them at St George's public school in Etobicoke and wish them success in the future.

## DEAF CHILDREN'S FESTIVAL

**Mr Gary Malkowski (York East):** On Wednesday, May 4, 1994, I attended the second annual Deaf Children's Festival, which was held at Sir James Whitney School for the Deaf in Belleville during Education Week.

The Deaf Children's Festival was to celebrate the uniqueness of deaf culture and to develop pride and self-esteem in deaf and hard-of-hearing children. Thousands of deaf students from the provincial schools for the deaf and school boards gathered for a day of art and drama activities, mime shows, American Sign Language storytelling sessions, hot-air balloon rides, and entertainment by deaf actors, actresses and other performers.

Another important event taking place in May, which is Deaf, Deafened and Hard-of-Hearing Awareness Month, is Mayfest, celebrating its 20th anniversary. The day-long activities of displays, contests and entertainment will take place at the St Lawrence Market north in Toronto. That will be held on May 13, Friday, starting at 10 o'clock in the morning and ending in the evening with a huge dance and party. This is a popular social event in the deaf community and is well attended by deaf, deafened and hard-of-hearing and hearing people alike, an event of deaf pride.

STATEMENTS BY THE MINISTRY  
AND RESPONSES  
CHILDREN AND YOUTH

**Hon Bob Rae (Premier):** I rise today to speak on a matter which affects the future of the people of Ontario more directly than anything else I could imagine; namely, the raising of our next generation.

This Legislature is in a position to issue a call to all the people of Ontario to take a new interest in and assume a new responsibility for the raising of our kids.

Today I want to present to this House a remarkable document that's produced by a group of dedicated volunteers working under the umbrella of the Premier's Council on Health, Wellbeing and Social Justice. The title of the report is *Yours, Mine and Ours: Ontario's Children and Youth*. This title is unmistakable in driving home the point that it deals with an issue that is close to each and every one of us.

1350

Seated in the gallery today are Dr Dan Offord and Mrs Marilyn Knox, who are co-chairs of the Premier's Council children and youth project, the team which produced this work, together with other members of their committee, Dr Colin Maloney, Dr Suzanne Zeigler, Dr Angus MacMillan, Jane Bertrand, Lucille Roch, Carol Cayenne, Monica Quinlan and Colin Wasacase. I also want to acknowledge the contribution of Douglas Maracle, David Walker, Dr Denise Avar, Dr Heather Munroe-Blum and Virginia Turner. Also in the gallery are representatives of organizations such as the Laidlaw Foundation, the Ontario Coalition for Children and Youth, the Royal Commission on Learning, and representatives of the children's services sector and the education community.

I would also like to acknowledge the contributions of my colleagues the Minister of Community and Social Services, the Attorney General and minister responsible for women's issues, the member for York-Mackenzie and the member for London North, who all served as working members of the various groups that made up the project.

On behalf of the people of the province, I would like to thank all those who participated in this important work, which is part of Ontario's contribution to the International Year of the Family.

Why do we need to be concerned about our children and youth? The institutions we've developed in this society to look after the raising of our next generation have been in place for a long time and they've worked well for most of us. But the world has been changing and our own society has changed a great deal, and it has changed so fast that our institutions—all those arrangements, practices, traditions, rules and organizations through which we make things happen—have not kept up to the changing needs. This process of change is becoming increasingly stressful for all of us, and it's very stressful for those who depend on us to help them find their place in our society: our children and our youth.

This report, *Yours, Mine and Ours: Ontario's Children and Youth*, is a call to Ontarians to renew their sense of responsibility for the wellbeing of our next generation. One of the fundamental beliefs stated in the report reminds us of that responsibility when it says: "Parents and those who take on parental responsibilities have the primary role in raising healthy children and youth. They must be supported by their communities in that role."

*Yours, Mine and Ours* addresses the needs of all children in Ontario. It doesn't single out any target group for special attention to remedy some earlier lack of attention. Instead, it deals with providing a firm foundation for the growth and development of every one of Ontario's children and youth into competent adults ready to take on the

rights and responsibilities of citizenship.

What's in the report? It began by asking parents, children, youth and grandparents across the province what their hopes, dreams and aspirations were for their children. We learned that while there may be concerns about what the future holds for our children and youth, there is also interest and work under way across the province in providing well for the next generation. It included research: What are the determinants of healthy child development? Fortunately, our capacity to understand our human nature is growing, and science now helps to explain much that we previously understood only instinctively.

The report outlines four transitions in our development, four times when we enter a substantially different phase of our life when appropriate measures, which we would all take together, can have a long-lasting and positive effect. The first is the transition to life, the period before and shortly after birth. The second is the transition to school, to learning in a more structured and different social setting than the early childhood experiences within the home. The third transition is that difficult period of personal change that we call adolescence, and the fourth is the emergence into the world of work and the obligations of citizenship.

None of this is really a discovery. We have been helping children and youth through these transitions for a long time in ways that have been successful for most. What's new now is the extent and rate of change in the social environment in which this all takes place. The nature of the family has changed greatly, and efforts to meet economic pressures have taken away much time that people used to have for their children. We are all aware of this, of course, and many have adapted to deal with the new stresses. Many communities have been perceptive and imaginative in meeting the needs of their children, but few have been systematic about it.

What Yours, Mine and Ours offers is a framework for organizing the way communities mobilize themselves to meet the important needs of all their children and youth. The framework points to the four transitions as opportunities where simple measures could have a significant effect. Many suggestions of what could be done have been assembled by four task groups of the children and youth project, the collective effort of more than 60 people, many of whom represented the resources of far larger organizations. The whole effort received ideas from an extensive process of consultation which involved children and youth themselves as well as many other groups and individuals knowledgeable in many aspects of the issues.

The report does not stop with a call to action. It insists that we should be able to measure progress. It proposes the development of a "report card" which will allow communities to monitor the condition of their own children and youth, to compare it with the children and youth in other communities and to assess the effects of their own efforts to make things better.

Yours, Mine and Ours is just the beginning. Producing the report was the first phase of the work. There must be a second phase, an action phase. The Premier's Council

will spread the message in the report and will start work on the report card. But for the children and youth of Ontario to benefit from what has been done, the communities of Ontario will have to mobilize their resources and take action. Governments will be required to pitch in by removing obstacles and by helping wherever they can.

I believe that all members of this House have the opportunity to show personal leadership in providing for the wellbeing of our next generation. We can do so by bringing together the people in our own communities who will answer this call and will set in motion the appropriate local actions to improve and protect the condition of our children and youth. This wonderful document, Yours, Mine and Ours, shows the way. We must do this because we all know it is important and we also know that it's the right thing to do.

**Mr Charles Beer (York-Mackenzie):** I rise to respond to the Premier's statement on the release today of Yours, Mine and Ours: Ontario's Children and Youth, which, as indicated, was prepared by the Premier's Council. I too would like to offer congratulations to Dan Offord and Marilyn Knox and everyone else who was involved in this project. As the Premier mentioned, both myself and my colleague the member for London North were involved at different times in it.

We found both the process and the substance to be extremely challenging in the way in which very many people came together to try to deal with the whole question of children's and youth services and to try to find a way we could break out of some of the problems we have right now and really begin to make progress in dealing with specific problems children and youth have.

There are a number of very interesting things in the report, not the least of which is the way the council has dealt with the question of the four transitions, trying to zero in on each of those areas and, in the report, to look at what are some key specific things that are doable, that we can achieve.

What is perhaps most interesting is this concept they have of a report card. I'd like to come back to that in my comments, because I think it's there where, in terms of the communities in this province, we can try to determine more clearly precisely what it is we are doing on behalf of children and youth and how we are really helping them.

But it's important as well to say to the Premier that what we also wanted to see in this statement was something clearer about the specific actions this government ought to be taking. There is no question in my mind that when one looks at the present system for the delivery of children's and youth services in Ontario, it is less cohesive today than ever before and it is less coordinated today than ever before.

We can't expect that the Royal Commission on Learning or the Premier's Council by themselves are going to be able to come up with all the answers. It is critical that they are a part of it, but it is also critical that the government lay out precisely what it intends to do and how it's going to support the very excellent recommendations from the Premier's Council and to make sure that those see light and have a real impact.



It is interesting that the Treasurer, in his budget statement of only last week, made no reference to children's services. It is always said, I think with some degree of truth, that one finds how strongly a government believes in what it is doing by looking at what is happening in the budget. With limited funds, as we all know, this government ought to be turning its attention to questions of children's services and youth services and really, if you like, putting its money where its mouth is.

1400

I want to say to the Premier that while we welcome this report and welcome the statement he has made today, we would expect to see in the next few weeks, either from him or from the Minister of Community and Social Services, some specific initiatives that are going to take these recommendations forward and really ensure that we have a direct and clear impact on providing better services for children and youth.

The question of the report card is perhaps a place where the government, together with the Premier's Council, can really move to do some innovative things. We know that in many communities in the province, in London, in Thunder Bay, in Ottawa, in Kingston, and the member for Chatham-Kent was talking about initiatives in his own riding today, in a variety of places there are gathered together groups around children's services that are trying to better coordinate those services. We also know that in those same places and in many other communities there are groups, business and education people, that have come together to form learning foundations, learning partnerships, investment in education councils; there are various names for those.

All those people are tied into our communities and are perhaps in many ways best set to try to go forward with this whole concept of a community report card, where we sit down and say: "How well are we dealing with our children? What is it that we're doing on behalf of the youth in our communities?" What would be best to do, and perhaps the best advice one could give, is in effect almost to bypass the structures here at Queen's Park—it needs political will and political leadership—and go to those communities where those groups exist and sit down and say, "All right, how can we together develop a community report card that is going to be meaningful, and how will we be able to free up some funds to do it and to work with you?" If we can do that, I think we will see some progress.

But, Premier, to this point, I have to say again, we do not have the cohesiveness in the system that we need. We look to your government to provide some leadership so that the council can go out and develop the very excellent recommendations it has put before us today.

**Mr Cameron Jackson (Burlington South):** I'm pleased to rise today to respond to the release by the Premier's Council on Health, Wellbeing and Social Justice of the report on children and youth. I'd like to also congratulate the members of that council, including Dan Offord and Marilyn Knox, who are with us in the House today.

My leader, Mike Harris, met with the council a couple of weeks ago and was very pleased to get an inside look

into what was going to be contained in the report and to share with them their concerns. He sends his regards from southwestern Ontario this afternoon; he couldn't be with them. I want to also thank my colleague from London North, who was an active participant in the council's task force on transition to work roles and community and family.

The report is a culmination of phase 1 of this committee's work, but the unfortunate reality is that it is unlikely that the NDP government will take the recommendations of this report seriously. After all, last week we did hear from the Treasurer, in his budget, setting out where the priorities for the government would be for the coming year. Unfortunately, children did not figure prominently anywhere in that lengthy document. In fact, the NDP record with respect to children is extremely weak. It's unfortunate that when, at the beginning of this government's mandate, it openly bragged it was going to spend its way out of the recession, children's services did not receive the kind of attention that they are receiving on paper today.

In fact, when that opportunity to spend, as the government chose to do, was before it, the largest single envelope of investment in children was to put it into bricks and mortar to convert day care centres from commercial centres into non-profit centres. We actually lost subsidized child care spaces as we poured money into that ideological conversion plan. Certainly, to look at the entire government's record, and put it in context with today's announcement, we in the Conservative Party have been pleading with the government on the other side to make adjustments.

It's well documented that all the children's aid societies have assembled in Hamilton, Ontario, for the next three days. They are looking at a crisis they've never faced before in their collective histories. They know that municipalities, universities, schools and hospitals all received greater increases in their budgetary area of attention than did children's aid societies in 1992 and 1993. There are a couple of CASs that are openly talking about having to close down their operations, because the law requires them to perform certain duties yet they can't provide those protection services.

I remind the members of the House that children's aid societies are not a social service; they are a justice service. They are a protection service and a justice service to protect the rights of children not to be victimized, not to be abused in any fashion in this province, yet their treatment, in terms of funding and protection, falls very low in the government's set of priorities.

We've indicated in this House as well the lack of support from this government with respect to private child care services. We openly were critical of the government's move almost a year ago to set up an additional \$13.5 million additional into the system through the use of user fees. We argued that we believed very strongly that it was a contradiction, that to take that revenue out of those families was in fact punishing the CASs and parents of particularly vulnerable children.

Child care has been noted. We would also indicate that in this House recently our caucus has raised several

issues about speech-language pathology services and children's mental health services that are all in retreat in terms of service delivery because of the way the government refuses to organize the three key ministries and to coordinate more effectively children's services in this province.

The challenge, of course, is to develop innovative programs to ensure that all the thousands of children who are locked into social assistance family situations are provided with opportunities for education and for employment and that the 30,000-odd children, young people, students who are receiving welfare, are addressed in terms of proactive employment opportunities and educational employments in this province, which we're not seeing either in the recent budget document or anywhere in the government's council statement today.

We hope that, upon reflection, the government will truly put children at the focus of its policy priorities in the coming year.

#### ORAL QUESTIONS FINANCIAL PROCEDURES

**Mrs Lyn McLeod (Leader of the Opposition):** My question, perhaps not surprisingly, is for the Minister of Finance. Minister, I have here a transcript of an interview you did which aired last Thursday, the night you presented your budget, on the TV show Fourth Reading. During the interview, you were very directly asked whether you believed your budget would get a passing grade from the Provincial Auditor. Your response was: "No, it's not."

You have been criticized by the Provincial Auditor for creative accounting in the past. Why in this budget did you continue to deliberately mislead and misrepresent Ontario's financial picture?

**The Speaker (Hon David Warner):** I realize that the honourable Leader of the Opposition has a very serious question and I don't think she wishes to cloud the issue with unparliamentary language.

**Mrs McLeod:** Mr Speaker, I would certainly retract the word "mislead." I trust you would accept "deliberately misrepresent," since that is my understanding of the auditor's report.

**The Speaker:** I think what is most helpful is to simply withdraw the unparliamentary language, allow the question to stand as is and allow the minister the opportunity to respond.

**Mrs McLeod:** Mr Speaker, I shall attempt to rephrase the question in a way which would be considered acceptable in the Legislature.

Minister, I would ask you, then, given the fact that you clearly understood and stated yourself that your books would not receive the approval of the Provincial Auditor, can you tell us why you deliberately chose to use what the auditor has said to be non-acceptable accounting practices once again in this budget?

**Hon Floyd Laughren (Minister of Finance):** The leader of the official opposition has been using a regrettable way to make her points in this Legislature in the last couple of weeks. I regret that.

I would say to the leader that I would want to take a look at the transcript. I remember very well the conversation I had with the TV station.

1410

My sense of the budget is that the budget is a document that lays out the projections and intentions of the Ontario government at budget time. I would say to the leader of the official opposition that the budget has been presented in a way that budgets have been presented in this province for ever. There is nothing unusual about the way the budget has been presented.

#### *Interjections.*

**Hon Mr Laughren:** Secondly, if you're prepared to listen, I have said to the Provincial Auditor—I've said it and put it in writing to him and he understands, I believe—that when it comes to the financial statements of this province, we will comply with all of the changes that he's requested in the way in which the financial statements are presented, which has never been done before.

Finally, I would remind the leader that the Provincial Auditor is requesting a change from the way in which you used to present the budget.

**Mrs McLeod:** The creative accounting practices were never used before. Therefore, they led to the fact that this auditor, for the first time in the history of this province, last year gave this government a qualified approval. He clearly directed them—and the Finance minister acknowledges that—to do their financial statements on what's called the public sector auditing and accounting board rules, which we have been calling on this government to do since well before that auditor's report. The government is committed to do that but for some inexplicable reason not until this fall and certainly not in this budget, and that's the issue.

Minister, it is the budget that's the public document. Supposedly it tells the people of Ontario what the financial state of their province is. Presenting financial statements next fall that will follow the auditor's rules is not going to be of much help to taxpayers who want to know where the province really stands right now.

You admitted in the interview that you did not follow the proper accounting procedures in calculating this year's deficit figure. It stands to reason, then, that the \$8.5-billion figure that you've projected is not accurate.

I ask you, if you had used the auditor's accepted accounting procedures, what would the actual deficit be?

**Hon Mr Laughren:** I must say that the leader of the official opposition is depicting the scenario in a most unfortunate way. There is absolutely nothing disguised in the budget.

I have said to the Provincial Auditor that we will comply 100% with what he wants done. What we've done in the budget is what you did, what the Tories did, what every government has done for ever in this province.

I appreciate the fact that the leader of the official opposition is a busy person. I appreciate that. It takes a long time to be remade by public relations experts.

If the leader of the official opposition will kindly look



at page 1, page 1 very clearly says this is our operating deficit, these are our capital expenditures, and says, categorically, that these numbers exclude "\$854 million in alternative capital financing in 1993-94 and \$1.6 billion in 1994-95." I don't know how much clearer we could possibly be.

I'll say it again: The Provincial Auditor—

**The Speaker:** Would the minister conclude his response, please.

**Hon Mr Laughren:** —has asked us to present our financial statements in a different way than has ever been done before. We are complying 100% with the letter of his request; 100%. What—

**The Speaker:** Would the minister please conclude his response.

**Hon Mr Laughren:** A budget is not an audited set of financial statements. It's not, never has been and, I presume, never will be. This is presented the way budgets have always been presented in this province, and with the financial statements that come in the fall we are complying exactly with what the Provincial Auditor has requested; completely.

**Mrs McLeod:** Nobody is saying that the budget is the final, audited set of figures, but we would have hoped that this government's budget could at least be expected to lead to an audited and approved statement of this province's finances.

Minister, let me be as clear as I possibly can be. We've tried to calculate the off-book financing. We believe that it's in the order of \$2.7 billion. We believe that if you add back in that \$2.7 billion, you would come up with a deficit of more than \$11 billion, and we believe that is a truer reflection of the way in which you are adding to the debt that you have already doubled.

Minister, will you confirm that the actual deficit projection, the total deficit projection, the amount of money you're going to need to borrow to make up what you're spending versus what you are raising, is more than \$11 billion and not the \$8.5 billion that you'd like people to believe?

**Hon Mr Laughren:** I know that it's not appropriate for me to ask the leader of the official opposition a question, but I hope she would remember how her government reported the budget along with Homes Now, for example. How did you report that? Did you report that on-budget or off-budget?

I know how you reported it. If the leader of the official opposition wants us to also roll in Ontario Hydro's debt, because we guarantee that debt too, I suppose that you could do that as well, but it doesn't make much sense.

We are presenting this budget the way it should be presented, with all of the numbers absolutely clear. None of the financial institutions have asked us the kinds of questions you are asking us since the budget was brought down—none. They know. It's all here. Nothing is disguised, nothing's hidden, and we are doing exactly what the Provincial Auditor has asked us to do when we present our audited financial statements which come forth in the fall. That's the way it's always been done and that's the way we'll continue to do it.

**Mrs McLeod:** I continue to believe it is unconscionable for the Treasurer of the province to present a budget which he knows will not get the approval of the Provincial Auditor.

#### METROPOLITAN TORONTO HOUSING AUTHORITY

**Mrs Lyn McLeod (Leader of the Opposition):** My second question is for the Minister of Housing. I want to turn to the disturbing reports of waste and mismanagement at the Metropolitan Toronto Housing Authority. It is very clear from the audits that have been leaked to the media that there is a major problem at the MTHA and that taxpayers' dollars are being wasted and abused. What is not clear, Minister, is what is actually being done to address the problem.

On the weekend Pat O'Neill, the chair of the MTHA, said that although she apparently hasn't even seen all the audits, she is somehow sure that steps are being taken to correct the problems that are being identified. But then we have Anne Smith, the vice-chair, who says that the problems aren't being dealt with and that the whole board should be fired.

Minister, maybe you can tell us what's going on. When were you first made aware of the problems at the MTHA, and what steps did you personally take to put an end to the rampant waste and mismanagement of taxpayers' dollars?

**Hon Evelyn Gigantes (Minister of Housing):** The audits which were referred to in the Toronto tabloids over the weekend were audits undertaken at the request of MTHA itself. MTHA—she might know this; she might not—hired an auditor to do internal audits on a regular basis in 1989. The audits which were mentioned in the tabloids were audits which were undertaken in 1992 and 1993.

The ones which had been undertaken in 1993 have been filed with the finance committee of MTHA, and they have been also filed with the board, and there has been a report on the implementation of the recommendations that were made in those two audit reports. There are another two audits which were undertaken in 1992 and they will be the subject of discussion at the finance committee of MTHA at its next meeting.

1420

**Mrs McLeod:** Minister, we're well aware that the audits that were undertaken were internal audits, just as we were well aware that another issue of serious concern in non-profit housing, the Houselink issue, was the result of an audit that was undertaken by the previous government. That's not the issue. The issue is: What is being done about the very serious problems that those audits are revealing?

On the other issues you have already admitted to writing off at least \$29 million for failed non-profit housing projects. So it's clear that there's something wrong. Surely that's not the question today. The question is your responses, Minister, and your willingness to both come clean with the public as well as to fix the problem.

The first step, I believe, Minister, is to make all the information public. You have said that you would release recent audits on non-profit housing, but you still have not

done that. We have learned that the MTHA conducted audits, which its board members considered in secret. We have to get to the bottom of it, and to do that, the public must have full and complete access to all the information.

Minister, will you stop stonewalling? Will you release the non-profit housing audits today, and will you order the MTHA to release its audits?

**Hon Ms Gigantes:** I think the leader of the official opposition really goes a little too far when she asks me to come clean as if there was something being hidden. There is nothing being hidden.

When the Metropolitan Toronto Housing Authority undertakes its regular audits, the recommendations are made to staff and they are followed up through implementation reports to the Metropolitan Toronto Housing Authority board.

There is nothing secretive about this, and she's being wildly irrational in attempting to connect non-profit housing with the Metropolitan Toronto Housing Authority. These things are quite separate and distinct, and she will know that we have in fact changed the top management at the Metropolitan Toronto Housing Authority and we have a new chair, who began in that position in December of last year.

**Mrs McLeod:** I find it hard to believe that my question could be described as wild. Clearly, Minister, all of us want to be sure the problems are fixed. We're concerned about non-profit housing. We're concerned that the taxpayers' dollars that go to support non-profit housing be well used. It's clear there are problems, and we need to know exactly what the problems are so we all know what's being done and what needs to be done. I don't know what's wild or unreasonable about that.

It is so clear that there is growing evidence of problems with financial management in the non-profit housing sector. It's clear that your response as minister should be right up front, "What do I have to do to stop it?" and I believe, Minister, you are stonewalling. You have not released the audits, although you've been saying for weeks now that you will do so. You are also restricting what the public accounts committee of this Legislature is able to examine.

What is needed is a full public review. Minister, we will be moving a motion to expand the mandate of the public accounts committee to examine not only Houselink and the Supportive Housing Coalition but also the MTHA and any other allegations of financial mismanagement in the non-profit housing sector. Minister, will you support this motion, and will you direct the government members of the committee to support it?

**Hon Ms Gigantes:** I will repeat that the kind of suggestions the leader of the official opposition is making are just wild. They are utterly wild. She may throw around wild statements and hope somehow that she's going to hit a target, but that's just nonsense.

As I indicated in my earlier answer, the audit reports are brought to the MTHA board, and in fact there was a report on February 15, 1994, based on the audit which had been done of purchasing and stock control. There was another report at that same meeting of the MTHA

which dealt with the implementation review on qualified contractors.

There is nothing out of the ordinary in these reports, and I know she will approve the fact that there is an internal audit system in place at the Metropolitan Toronto Housing Authority and that in fact it is leading to questions being asked about processes there which then the board requires a response on. That's the way the system should work.

**The Speaker (Hon David Warner):** New question, third party.

**Mrs Margaret Marland (Mississauga South):** My question is also to the Minister of Housing. It's really unbelievable to hear the minister saying there's nothing unusual in these reports. If the minister doesn't think it's unusual for MTHA staff to take cheques and cash home, then I don't know what she thinks is unusual.

Madam Minister, last week I asked you a number of questions on a number of days about MTHA. You said I was implying scandals and mismanagement. Well, I'd like the facts to speak for themselves today: a police anti-corruption probe of possible kickbacks; alleged tendering irregularities that include bid rigging, price gouging, overbilling and unfair competition; embezzlement by staff of tenants' rent cheques; allegations of racism, and staff withholding information from the board. If this isn't a scandal, if this isn't evidence of mismanagement, I don't know what is.

The minister would not answer most of my questions about MTHA, yet you have been kept well informed of the problems of the agency. Minister, I would suggest that you have withheld critical information from this House and the public. Will you finally tell us what you know about MTHA and when you received this information?

**Hon Ms Gigantes:** Over the course of the last two and three years, the internal audit process at the Metropolitan Toronto Housing Authority has identified system problems. Measures have been taken to address those system problems.

I'm not standing here to suggest that everything has been hunky-dory at MTHA. To my knowledge, it never has been. It's a very large operation and it has a very long and troubled history.

The fact is that we have brought in new management at MTHA. We have a new chair at MTHA. There are certainly some questions still to be answered as far as some board members are concerned, but those are being addressed in the way I indicated last week when I spoke about the equity review which is going on right now at MTHA.

I think the member will throw out things that happen here and things that happen there. If they've been addressed, and they have been addressed, then I should think she would acknowledge that instead of talking wildly—again I'll say "wildly"—of scandal.

**Mrs Marland:** The internal MTHA audits I have obtained cover periods going back to 1990 when this government was first elected. Poor management and lack of accountability were therefore serious problems at the



MTHA under the previous Liberal government as well as the current NDP administration.

The former chair of the MTHA board, Jean Augustine, now the Liberal MP for Etobicoke-Lakeshore and, I may add, parliamentary secretary to the Prime Minister of Canada, must also be held accountable for the mess at MTHA. She was in charge when most of the irregularities and alleged wrongdoing took place. She probably knows as much as, if not more than, frankly, you do about the problems at MTHA.

The minister and the government House leader have repeatedly refused my party's requests to include MTHA in the public accounts committee review of questionable practices at other housing agencies, and it's very interesting that today finally the Liberal leader has gotten on the bandwagon and is making the same request that we made five days ago.

Minister, will you consider again our request for a review by the public accounts committee so that former and present MTHA board members and staff can account for the practices under their administration, or are you going to continue to defend as a normal happening embezzlement, fraud, overbilling, racism and kickbacks?

**Hon Ms Gigantes:** That's pretty wild. As the member knows, the estimates of the Ministry of Housing are regularly before the public accounts committee. We are also reporting through the public accounts concerning the Provincial Auditor's report on non-profit housing. We're very anxious to provide whatever kind of information is available and can be shared with members opposite. She's never raised these kinds of questions before. The tabloids have spurred her on.

Let me point out that in all the years, the 42 years of Conservative government, and the many years in which they were responsible for management of the Ontario Housing Corp and the Metropolitan Toronto Housing Authority, there was never an internal audit system.

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**Mrs Marland:** It is interesting to hear the minister refer to our media in Toronto as tabloids. Nothing in this whole sordid mess, I would suggest, reads more like the National Enquirer than her own ministry's audits.

Do you know what is wild? Let me tell you what is wild. It is absolutely wild, unforgivable and totally unacceptable that you stand in this House and try to defend this mess. We've given you the opportunity to say, "It was there when the Liberals were there." We know it was there when the Liberals were the government. That's why we brought out the Common Sense Revolution. This tells you what we want to do about publicly funded housing in this province, and it isn't what you and the Liberals are doing.

We have learned that the minister met numerous times with MTHA vice-chairman Anne Smith, who sought this minister's help in dealing with the several problems with the agency. Ms Smith says the Housing ministry has known about the situation at MTHA for years, but in her words, "They chose not to act." The minister has failed to deal with these serious managerial and accountability problems at MTHA.

**The Speaker:** Could the member place a question, please.

**Mrs Marland:** Furthermore, you have withheld critical information from this House.

My question is this: Obviously, the only way to get to the bottom of this mess is a full inquiry.

**Hon Ms Gigantes:** On a point of order, Mr Speaker: Is it legitimate for the member for Mississauga South to say that I have withheld information from this House? It is not.

**The Speaker:** From time to time, on both sides of the House, there are accusations about other members' behaviour or lack thereof. It is not out of order. I would ask that the member quickly place a question.

**Mrs Marland:** This is the fourth day I've asked questions. You haven't told us anything yet. I don't know what's a better example of withholding information.

Obviously, the only way to get to the bottom of this mess is a full inquiry into MTHA, complete with the Provincial Auditor and independent legal counsel and with the power to obtain any necessary documents and to subpoena witnesses.

Minister, will you recommend to the public accounts committee that it undertake this inquiry with the terms of reference I have recommended, or are you going to continue to defend the fact that—

**The Speaker:** Could the member complete her question, please.

**Mrs Marland:** —you have rats in the hold of your ship?

**Hon Ms Gigantes:** Once again, I really do object to the terminology of the member for Mississauga South. It is no way to speak of people who are doing their job to the best of their ability. There have been incidents which are reprehensible. Those kinds of incidents occur in large organizations. There need to be systems in place to deal with them. There was no internal audit process under the Conservatives.

*Interjections.*

**The Speaker:** Order. Would the minister take her seat for a moment.

*Interjections.*

**The Speaker:** The member for Burlington South, please come to order.

**Hon Ms Gigantes:** As the member for Mississauga South knows, the Provincial Auditor determines whether he wishes to initiate an audit. It's certainly not only on government direction that he does that. If she wishes to encourage him, by all means let her do so. But there was no audit system in place under the Conservatives, so I can just imagine what MTHA might have been like with no internal audit system in place.

We have changed the top management at MTHA—

*Interjections.*

**The Speaker:** Order. The member for Etobicoke West is out of order.

**Hon Ms Gigantes:** —we have brought in a new chair. I know that the member for Mississauga South, for

example, doesn't approve of having residents of MTHA sit on the board, but she's willing to raise comments from them when it suits her purposes.

I think that the member might well take a look at the Provincial Auditor's report—does she remember it?—in 1991. If she feels that he should undertake another audit, by all means let her encourage him.

#### ONTARIO ECONOMY

**Mr David Johnson (Don Mills):** My question is to the Minister of Finance. I have a copy of your budget, and in this budget you do tinker with some of the taxes, the employer health tax, for example. You do promise to reduce red tape, although you're not very specific on how that's going to happen. You do promise to balance the budget in four years, but who knows how that's going to happen?

I have another document in my hand, and this document is called the Lyn McLeod Task Force on Jobs. It promises to tinker with taxes, reduce them a little bit; it promises to reduce the red tape, but we don't know how; and it promises to balance the budget in four years, but who knows how? Does this sound familiar? It sounds a bit like a Liberal-NDP accord.

Minister, I guess my question to you is, in setting this budget, whose advice did you seek?

**Hon Floyd Laughren (Minister of Finance):** May I first of all welcome the member for Don Mills as the third party critic on Finance. I suspect we'll have many interesting exchanges. I would remind the member that I think it was Mike Harris who promised to eliminate the deficit in four years as well.

You can see that in drafting the budget—to answer your question specifically as to who we listen to, I can tell the member that when I went across the province during the pre-budget period and listened to people in different communities in this province, what they asked us to do, they said to me: "Do what you can on the jobs side. We know you can't do it all, but do what you can to encourage job creation."

Secondly, they said: "Do what you can to get the deficit going down. We know it's not easy to do that at the same time that you're doing something on the jobs side." Finally they said, "We know it's a tough time on the revenue side, but if you can do all of this without any tax increases, that is what we would like to see you do." I can tell you that's what we did, because we did listen to the people as we travelled across this province.

**Mr David Johnson:** Mr Minister, you mentioned Mike Harris and I'm glad you did, because we have the Common Sense Revolution. This is a document that tells you how to reduce the deficit.

**Mr James J. Bradley (St Catharines):** Is it made in Ontario? I want to know that.

**The Speaker (Hon David Warner):** Order, the member for St Catharines.

Would the member for Don Mills place his question, please.

**Mr David Johnson:** Unlike the Liberals, we have specific suggestions on how to reduce the deficit.

Mr Minister, to get to the deficit of \$8.5 billion, there is a little bit of scepticism. You're telling us now that the deficit in 1992 was \$12.4 billion, but that same year you borrowed \$15.5 billion. You're telling us that the deficit last year was \$9.4 billion, but last year you borrowed \$11.6 billion. You're telling us that this year the deficit is going to be \$8.5 billion, but you're proposing to borrow over \$10 billion, to raise the debt in the province of Ontario over \$10 billion to over \$90 billion in total debt.

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Minister, my question to you is, how do you explain this and please tell us, what is the new definition of the word "deficit" in the province of Ontario?

**Hon Mr Laughren:** Since the member for Don Mills did refer to his revolution of common sense, I simply must make a comment on it.

When I looked at the document and saw some analysis that was done subsequent to its publication, it indicated that in the education field alone—education alone—there will be about 10,000 jobs lost in that sector alone. Secondly, your own economist, an economist who is referred to by you in your document, predicts that what you would do would be a drag on the economy to the tune of almost one half of 1%. That's a big drag on the economy.

You have to make up your mind whether or not you believe that there should be jobs created in this province or whether you want to go out there and decimate jobs in this province. It really then would be a revolution of despair, not a Common Sense Revolution.

**Mr David Johnson:** I thank the minister for raising the issue of jobs. Through the Common Sense Revolution we talk about creating 725,000 jobs in the private sector.

Minister, your own budget suggests that we can create jobs by cutting taxes and you did that through a holiday on the employer health tax. You recognized we can create jobs in the private sector by cutting taxes. The problem is, you didn't go far enough.

The Common Sense Revolution recommends a cut of 30%—

*Interjection.*

**The Speaker:** Order, the member for Mississauga West.

**Mr David Johnson:** —in taxes, to do away with the employer health tax for small businesses, to cut the workers' compensation by 5% and to freeze Ontario Hydro.

Minister, why not do it right? Why not create some real jobs in the province of Ontario and cut the taxes in the province of Ontario which are hindering job growth?

**Hon Mr Laughren:** The member for Don Mills has the old, and I'm becoming repetitive in this regard, Reaganomics theory that if you slash taxes infinitely, you'll create an infinite number of jobs. What happened in the United States when they used that approach is the annual deficit went from \$40 billion a year to almost \$300 billion a year. I can tell you, Mr Speaker, that when we cut the employer health tax—

**Mr Chris Stockwell (Etobicoke West):** Come on.



Reagan spent. We're not going to spend. We're going to slash.

**The Speaker:** The member for Etobicoke West is out of order.

**Hon Mr Laughren:** When we reduced the employer health tax, that cost the treasury of this province \$200 million. So it's not free; it cost \$200 million.

I can tell you, Mr Speaker, that what we've done is, we are getting the deficit going down, we are doing some job creation and we are not raising any new taxes; we've cut that one tax. But I can tell you, Mr Speaker, that I very much believe that what the province needs is our balanced approach, not your shock treatment that you would apply to the economy of this province.

#### GOVERNMENT ADVERTISING

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of Finance of Ontario in his capacity as the chair of treasury board.

The member has been in the Legislature some 23 years; I've been in the Legislature 17 years. I can't think of a more blatant piece of partisan propaganda put forward, fully paid for by the taxpayers of Ontario, than what your government put out in newspapers of Ontario at a cost of about \$270,000 in this province.

My question to the minister, for whom I have a good deal of personal respect because I recall what he used to say in opposition, when he and I were in opposition: Does the minister not believe that a document of this kind, while you're certainly entitled to put it out, should be paid for by the New Democratic Party and not by the taxpayers of Ontario?

**Hon Floyd Laughren (Minister of Finance):** I do appreciate the question. This is the budget document itself that was presented to this House last Thursday. It is, as all budgets are, relatively complex: a lot of numbers in it. It is not, as no budget is, particularly user-friendly. I think it's in the interests of democracy as a whole that people in the province understand as clearly as possible, in a language that everybody can understand, what it is, what the highlights are, what the priorities are of the government that they've elected to govern.

**Mr Chris Stockwell (Etobicoke West):** Why don't you use it on the NDP?

**The Speaker (Hon David Warner):** The member for Etobicoke West, please come to order.

**Hon Mr Laughren:** I can tell you, Mr Speaker, that this tabloid simply reflects the priorities of the budget. It doesn't extol the virtues of the New Democratic Party. It simply says these are the priorities in the budget, these are the highlights of the budget, in a language that everyone can understand. I think that's a responsible way for the government to move. It cost us less than nine cents a copy, certainly a lot less than it would have cost us to mail it, given the federal postal rates.

**Mr Bradley:** My quarrel isn't with a political party, the New Democratic Party, putting out a piece of literature that it considers to be its point of view on matters of this kind. But clearly I think any objective person—and I can't consider myself to be that; I'm obviously a partisan as well—who looked at the headline and who

looked at the content of this would say it's clearly blatant partisan propaganda.

I ask the gentleman who is the chair of the treasury board if he will not review this once again—and I don't think he personally put this out—if he will not review this with his own people in cabinet with a view to having it paid for by the New Democratic Party. It's quite legitimate to put out your point of view, and I quite agree with you that everyone should be aware of it. My objection, sir, is that this is paid for entirely with taxpayers' dollars and it is not objective.

**Hon Mr Laughren:** I just want to make one thing perfectly clear. I saw this before it went out. I approved every word in it. I approved the cost of putting this out. I believe it was very much the correct thing to do. There is nothing in this flyer that was put into the newspapers that does not directly come from the budget itself.

If this was a document that had a box in it that said, "Because of good government, we want you to join the New Democratic Party," then I think the member opposite from St Catharines would have a good argument. But there is nothing in there—nothing—that is partisan. It simply reflects what is in the budget: 147,000 jobs, no new taxes, no tax increases, government spending under control, and the deficit down 30%. Those are the highlights in this budget—

#### Interjection.

**The Speaker:** The member from York Centre, please come to order.

**Hon Mr Laughren:** —and I think people in this province have a right to receive this in a language that everyone can understand.

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#### DANGEROUS OFFENDERS

**Mr Robert W. Runciman (Leeds-Grenville):** I have a question for the minister responsible for women's issues. Last week, members will recall, Minister, you were the defender of vulnerable women when you reminded us that May is Sexual Assault Prevention Month.

Minister, I want to tell you about Mr Daryl Jones, who was found not guilty by reason of insanity for the attempted murder and rape of an 18-year-old newlywed. The woman suffered a collapsed lung, stab wounds to the back, ear and left elbow and fractures to the right hand, arm and elbow. Doctors did not think she would survive. She had to have three operations over the course of a significant period of time.

Mr Jones was subsequently released without conditions from a psychiatric hospital, a decision appealed by the crown and overturned by the appeal court in January of this year. In its decision, the court said that hospital staff had engaged "a complete abdication of responsibility."

Minister, in your role as minister responsible for women's issues, have you followed up on the court decision to ensure that an appropriate response by government officials has occurred, and if not, why not?

**Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues):** We certainly have been very mindful of this issue. As the member pointed

out, we did appeal the decision, and I have had ongoing discussions with our colleagues in the Ministry of Health as well as the federal Justice ministry about high-risk offenders and the kind of issue that he has raised here.

It has to be of great concern to us and continues to be. There are a number of different ways in which such a thing can be handled, but I would remind the member that the kind of situation he describes is a situation which has depended very much upon the actions of different people in different places at different times. Part of the action we want to take is to coordinate the decision-making in such a way that high-risk offenders are dealt with in a different way.

This was a major topic of conversation among the ministers of Justice earlier this year. It is one that needs to be done in conjunction with both the medical and human rights of the accused. But the member is quite right that public safety has to be the major concern in trying to come to solutions to this kind of issue.

**Mr Runciman:** I don't see how the minister can have the gall in the future to get up here and make statements like she made last month in respect to concern about sexual assault and sexual assault victims.

Here's something that occurred four months ago: a decision by the Court of Appeal. It's been ignored by the Minister of Health: a scathing indictment of people who turned an animal on to the streets who's subsequently been charged with the murder of a 79-year-old widow. This minister, who is also in the joint responsibility of Attorney General and in an excellent position to do something about this sort of thing to ensure it's followed up by her colleagues around the cabinet table, who have ignored the issue, ignored me, ignored the city council, ignored concerned citizens, and are simply doing absolutely nothing—these are weasel words from the minister. She will not deal with specifics. Will the minister do something about this and do it now?

**The Speaker (Hon David Warner):** Order. The member for Leeds-Grenville has a very serious question. He would improve things if he would simply withdraw the unparliamentary comments.

**Mr Runciman:** Mr Speaker, if something is unparliamentary I will indeed withdraw it. This is a major concern. This minister has prided herself in standing up for vulnerable women in the past. Here's an issue she's had four months to do something about—

**The Speaker:** Would the member place the question.

**Mr Runciman:** —and has done absolutely nothing.

**Hon Mrs Boyd:** I have made it very clear to the member that we are indeed working very hard to try and find solutions. There is no easy solution to this kind of situation and the member is quite aware, as he himself reminded this House, that the crown took very strong action and did all it could to try and resolve this particular issue.

**Mr Runciman:** What's the good of having a court decision if you don't work on it.

**The Speaker:** Order, the member for Leeds-Grenville.

**Hon Mrs Boyd:** We are working extremely hard to find solutions that are respectful of the rights of all the

parties. The member doesn't like the answer. He would like a magical solution to these very severe problems.

What we are saying is that these require the action of all players to resolve and that they have our full attention. We are not in any way ignoring the situation.

**The Speaker:** The Solicitor General has a reply to a question asked earlier by the member for Brampton South.

#### CORRECTIONAL SERVICES

**Hon David Christopherson (Solicitor General and Minister of Correctional Services):** In response to that member's question, let me say this: The two issues which the member raised are in fact areas in which the ministry has upgraded in the last few years in order to enhance the safety of our employees and the public.

Management Board secretariat upgraded the existing locking systems at Vanier by replacing all the lock cylinders during fiscal 1992-93 and 1993-94. This project improved the operation and security of the institution. The quality and function of the new cylinders met the specifications of Management Board secretariat and the Ministry of Correctional Services and improved the efficiency and security of the Vanier Centre for Women.

The total cost of the project was \$131,600. Staff at Vanier were consulted during the design and implementation of the lock upgrade project. The current issue surrounds the function of only four locks on four unit control offices.

In an order to comply issued on April 22, the Ministry of the Solicitor General and Correctional Services was ordered to convert the four doors to self-locking. The order was met by April 29, 1994, by converting the four locks in question to self-locking. The appeal of the order to comply was issued to ensure this type of modification is accepted by the Ministry of Labour.

The existing fence at Vanier was upgraded in fiscal 1991-92 and is considered adequate for the security requirements of the institution. A small portion of the fence is being upgraded in the fiscal 1994-95 year. The ministry continues making improvements to all facilities as resources become available.

**Mr Robert V. Callahan (Brampton South):** Thank you, Minister, for the comments. It's interesting, though, that the occupational health and safety people were into the jail and they in fact are the people who required your ministry to take the action it took.

It seems to me that you say the ministry is constantly vigilant about the security of these prisoners and the safety of the workers as well as the residents who live around these facilities, yet I seem to recall Mimico reformatory, where they put in bars that virtually were declared to be penetrable by the most inexperienced prisoner, perhaps using a butter knife. That may be a bit of hyperbole, but I have a great problem understanding how a properly tendered and inspected and supervised program, particularly in a correctional facility, can result in the possibility of having another agency of this government come in and tell your ministry that the locking mechanisms are not safe to the extent that an order was issued against your ministry, as I understand it,



to ensure that these locking facilities were changed.

I suggest to you that all you've said to me is simply tell me that you're taking steps to remedy the situation. In the future, recognizing the Mimico experience, recognizing the Vanier experience, are you concerned about the safety of the residents in my community as a result of having these institutions there and ensuring that these prisoners remain where they should be?

**Hon Mr Christopherson:** I appreciate the ongoing concern of the member for the inmates and staff at this facility as well as the residents who live nearby. Let me again emphasize that I think that all the governments that have had management of this particular ministry, whether it's ours, whether it's the previous government or the Tories, have made safety an absolute priority, and each of us has tried to enhance our ability to do that.

I believe and continue to believe that the safety level that we have in all our institutions is what it needs to be. We have the checks and balances that are in place with regard to the specifics the member mentions. He knows very well that the two issues are totally unrelated and have nothing to do with each other whatsoever and that action was taken to remedy that and that at no time was there any serious threat to the security of these facilities.

The matter I've addressed here today is one where there was a difference of opinion with regard to detail, not substance, to the best of my knowledge, and I also believe the matter has been rectified to the satisfaction of all involved. I expect that we will continue to give security and safety the very high priority that it deserves and needs to have in my ministry.

**Mr Ernie L. Eves (Parry Sound):** On a point of order, Mr Speaker: I would like to give the member for Mississauga West an opportunity to correct the record in his member's statement in the Legislature this afternoon. The member for Mississauga West incorrectly stated that—

**Ms Dianne Poole (Eglinton):** You can't correct—Mr Speaker?

**Mr Eves:** Ms Poole, are you the Speaker or is he?

**The Speaker (Hon David Warner):** Order.

**Mr Eves:** I'll listen to him.

**The Speaker:** Would the member for Parry Sound quickly address his point of order to the Chair.

**Mr Eves:** The member for Mississauga West incorrectly stated that an ad done by Mr Harris's party, or by Mr Harris, had been directed and produced by Americans. That is a totally inaccurate and incorrect statement. The fact is that a Toronto-based producer hired an Ontario, unionized crew—

*Interjections.*

**The Speaker:** Order. Would the member for Parry Sound please take his seat.

*Interjections.*

**The Speaker:** Order. Would the member please take his seat. The member knows that only the member for Mississauga West can correct remarks which he made.

**Mr Eves:** I am sure he would want to do that.

**Mr Steven W. Mahoney (Mississauga West):** On a point of order, Mr Speaker: Since the member for Parry Sound seems to have suggested—I don't know what he's suggesting—that I've made a statement that is not correct, it is my understanding, and if you want to read the Hansard, Mr Speaker, I'd be delighted to read it again, that Mr Harris and the Conservative Party hired Americans to design their slick, American-style campaign procedure, and I stand by my statement.

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#### CHILDREN'S SERVICES

**Mrs Yvonne O'Neill (Ottawa-Rideau):** My question is to the Minister of Community and Social Services. Mr Minister, I am concerned about the serious matters of cuts to the mandated services that fall under the Child and Family Services Act: cuts to group homes for young offenders in open custody; cuts in counselling for troubled children and youth. The impact of these cuts on children at risk is already serious. In a letter of last week, you stated that you would not meet with the children's aid societies of either Peel or Halton, and I have the letter in my hand.

These agencies provide mandatory services. They do not determine the children who are presented to them. Are you really committed to providing the children's aid societies in this province with a stable source of funding, including the exceptional circumstances review?

**Hon Tony Silipo (Minister of Community and Social Services):** Yes. The answer is essentially yes. We continue to provide, and there will be more funds available under exceptional circumstances funding this year than there were last year. Those funds will continue to be there to help children's aid societies to deal with year-to-year pressures.

I can also tell the member that I have scheduled for tomorrow afternoon a meeting with representatives, not only of the children's aid societies but of all other agencies that we deal with in the ministry, to discuss with them some thoughts that we have and some proposals that we have for how to deal with the ongoing funding problems we have in the whole array of services, children's services and others. We obviously have been doing some work over the course of the last year in dealing particularly with the children's services issues and the cuts that were announced last year. There are some issues around this that I will want to discuss with the agencies.

We also believe that there are some things that we need and can do to help agencies restructure the way in which they are providing services. Those are also things that I will outline for people tomorrow. I will be very happy to share at that point the information with the member opposite.

**Mrs O'Neill:** To this point—and indeed, many have brought it to the House today—children are not even mentioned in budget '94. We have additions to waiting lists for young parents requiring support, waiting lists for children in foster care who need counselling, and children who are suspected of being abused, and the list goes on. Adults do not seem to be in as much jeopardy in these circumstances as children.

Agencies such as the children's aid society are mandated. They are mandated and given certain responsibilities. These are serious circumstances I bring to your attention, Mr Minister, and you continue to suggest very general solutions.

When will you really guarantee that child welfare is priority number one for this NDP government? When will you walk the walk, not talk the talk? I heard the Premier this afternoon, I'm sorry I have to say, in a very mealy-mouthed manner suggest that government will pitch in and help where it can. This government must take a leadership role, Mr Minister. Are you willing to do that?

**Hon Mr Silipo:** I think the member opposite will be pleased with some of the information that, as I said, I will be sharing with people tomorrow. She would be the first, I hope, to acknowledge that the solution to these very real problems is not one in which we can simply add more money to the pot. We have a limited amount of money.

What we have to do is to work with our agencies to see how those funds can be better spent. We are going to be suggesting tomorrow some very specific ways in which that can be done. I hope the member will respond to those suggestions and that the discussion can continue.

We believe that's the way in which we can plan not just how to best deal with the pressures we have now, but indeed that's the best way we need to plan for the forthcoming future and the issues, because these issues will not go away and the funding problems are going to be with us for some time. What we need to do is to therefore focus our activities to see how we can use the dollars we have in a much better fashion.

#### ADOPTION

**Mr Cameron Jackson (Burlington South):** My question as well is to the Minister of Community and Social Services. Minister, today representatives of over 206,000 persons who've been adopted in our province, including 35,000 adopted persons who don't even have their own name in their birth records, but are actually codified by a number, were here present to meet with you earlier and to conduct a rally and a press conference to talk about adoption disclosure amendments.

I want to cast you back five months ago, when you met with that group and myself. You indicated that it was a priority for your government, but that your place at the cabinet table was filled with welfare reform legislation and day care reform legislation, and that although you were committed to that, you unfortunately didn't have space.

In the last four months, your government has seen fit to cancel and not proceed with any of that legislation, so I ask you: Why is it that you told that group this morning in your cabinet boardroom that this amendment to adoption disclosure for so many Ontario residents is no longer a priority for your government?

**Hon Tony Silipo (Minister of Community and Social Services):** I want to be very clear with the member, because he heard what I said this morning and I want to repeat it here this afternoon, because he was part of that meeting he referred to. I made it very clear last year that

I was not then in a position to say that proceeding with government legislation to deal with the issue of adoption was a decision the government had made. I made it very clear there had been no decision made by the government. I said that last year and I said that throughout the period. I stated my views on the issue very clearly, and that I felt this was an important issue.

I still believe that, and that's why the government at this point has not decided to proceed with government legislation, but as the member knows, and we discussed this this morning, there is a private member's bill that's being discussed later this week in the name of the member for Sault Ste Marie. I've indicated this morning and I can indicate publicly here again that I personally will be supporting that legislation and encourage members to support it, and I hope that through that legislation we may be able to seek a solution to this important issue.

**Mr Jackson:** This morning, the groups referred to your commitment as an abandonment, a copout, abandoning the interests of adoptees in this province. I remind you, Minister, that this is a serious issue. Thousands and thousands of individuals in this province are affected. Their compromise solution, with consensus, has been approved.

But what is threatening about this is that thousands of jobs around this province for social workers will be protected under your attitude and your approach. Millions of dollars can be saved if we allow for this legislation to proceed and allow for these adoption reviews to be done by adoptees who have permission from their birth parent to do the investigations.

Will you overcome the interests of the government employees in this regard and reach beyond that to help save taxpayers some money and do something humane and fair and sensitive for adoptees in this province? Other jurisdictions have succeeded, yet there's no political will from you to do so and you've sloughed it off as a private member's bill when there's time on the legislative agenda to complete this bill by the spring.

I ask you if you'll bring that in and make it government legislation and not leave it to a private member's bill.

**Hon Mr Silipo:** I think we could spend a lot of time debating the question of whether there should be government legislation or not, but I would say to the member, as I indicated again this morning, that personally I'm very supportive of the bill the member for Sault Ste Marie has put forward. I think it addresses on a consensus basis the kinds of issues that I know have been close to many people's hearts and that I think address the basic issue at the heart of this matter, in terms of giving people access to their original birth certificates once they are adults and at the same time protecting those birth parents who do not want to be contacted.

If there is the kind of support that obviously the member's question implies there is from him and other colleagues in the Legislature, the important issue is to see how this issue can be addressed in an effective manner, rather than belabour the point or get into arguments about what is the best course to proceed. The substance is what matters. I've indicated publicly and in a continuing way



my continuing support for this direction, and I'm glad to restate that today.

1510

### PETITIONS

#### KETTLE ISLAND BRIDGE

**Mr Gilles E. Morin (Carleton East):** I have a petition addressed to the Parliament of Ontario.

"Whereas the government of Ontario has representation on JACPAT (Joint Administrative Committee on Planning and Transportation for the National Capital Region); and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island, which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of citizens in the Ottawa region, have passed motions rejecting any new bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or at any other location within the city of Ottawa core."

I will affix my signature to this petition. I also have two packs of cards that will go to the Minister of Municipal Affairs and the Minister of Transportation.

GURDEEP NAGRA

**Mr David Tilson (Dufferin-Peel):** I have a petition from a number of constituents in my riding, several of whom are here today in the members' gallery. It's addressed to the Legislative Assembly of Ontario.

"Whereas Mr Gurdeep Nagra, Mrs Nagra and their lawyer may have defrauded some 50 Torontonians Sikhs over a period of five years, starting in 1988, by way of shady deals, false promissory notes and bad cheques; and

"Whereas Professor Uday Singh, a senior citizen and pensioned university professor, lost half a million dollars to Mr Nagra; and

"Whereas Satwant Kaur, a widow, lost a quarter of a million to Mr Nagra; and

"Whereas the Metropolitan Toronto Police, the Attorney General, the Solicitor General and the Premier have all failed to make Mr Nagra accountable for his actions;

"Now therefore we, the undersigned, petition the government of Ontario to prosecute Mr Gurdeep Nagra and obtain restitution of all defrauded moneys to their rightful owners."

#### TOBACCO PACKAGING

**Mr Larry O'Connor (Durham-York):** I've got a petition here to the Legislative Assembly of Ontario in support of plain packaging of tobacco products.

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national packaging strategy the most effective method of protecting the Canadian public;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

Mr Speaker, you can see it has been signed by hundreds of people and put out by the Coalition for a Smoke-Free Uxbridge.

#### FIREARMS SAFETY

**Mr Ron Eddy (Brant-Haldimand):** I have a petition to the Legislative Assembly of Ontario.

"Whereas we, the undersigned, strenuously object to the Ministry of the Solicitor General's decision on the firearms acquisition certificate course and examination; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Premier, the Solicitor General and the Legislative Assembly of Ontario to change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

It's signed by 19 constituents.

#### HEALTH CARE

**Mrs Elizabeth Witmer (Waterloo North):** I have a petition that's been signed by over 500 people, the Coalition for Access to Preventative Medicine.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"On December 13, 1993, the Parliament of Ontario passed Bill 100, which was originally supposed to deal with sexual abuse of patients by physicians, an important piece of legislation. However, also under Bill 100, Bill 43, the Regulated Health Professions Act, was amended, giving the College of Physicians and Surgeons of Ontario the authority to develop a quality assurance program, parts of which severely limit the choice of preventive

health care in Ontario.

"We, the undersigned, demand that the Legislature of Ontario immediately repeal section 27(2) of Bill 100 to ensure citizens of Ontario of their basic rights as individuals to choose appropriate medical health care best suited to their individual needs."

#### TOBACCO PACKAGING

**Mr Gordon Mills (Durham East):** I have a petition to the Legislative Assembly of Ontario.

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and other provinces rather than act on its own to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public;

"Therefore, we, the undersigned, hereby petition the Legislative Assembly of Ontario:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I have the pleasure of adding my name to that petition.

#### SALE OF AMMUNITION

**Ms Dianne Poole (Eglinton):** I have a number of petitions from my riding that I'd like to read into the record.

"To the Legislative Assembly of Ontario:

"Whereas it is imperative that we make our streets safe for law-abiding citizens;

"Whereas any person in Ontario can freely purchase ammunition even though they do not hold a valid permit to own a firearm;

"Whereas crimes of violence where firearms are used have risen at an alarming rate;

"Whereas we must do everything within our power to prevent illegal firearms from being used for criminal purposes;

"We, the undersigned, petition the Legislative Assembly as follows:

"To immediately pass Liberal Bob Chiarelli's private member's bill, Bill 151, to prohibit the sale of ammunition to any person who does not hold a valid firearms acquisition certificate or Ontario Outdoors Card."

I agree with this petition and have affixed my signature.

#### JUNIOR KINDERGARTEN

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas the previous provincial Liberal government of David Peterson announced its intention in its budget of 1989 of requiring all school boards to provide junior kindergarten; and

"Whereas the provincial NDP government is continuing the Liberal policy of requiring school boards in Ontario to phase in junior kindergarten; and

"Whereas the government is downloading expensive programs like junior kindergarten on to local boards while not providing boards with the funding required to undertake these programs; and

"Whereas the Wellington County Board of Education estimates that the operating cost of junior kindergarten will be at least \$4.5 million per year; and

"Whereas mandatory junior kindergarten programs will force boards to cut other important programs or raise taxes; and

"Whereas taxes in Ontario are already far too high;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government of Ontario cancel its policy of forcing junior kindergarten on to local school boards."

I support this petition.

#### PENSION REFORM

**Ms Jenny Carter (Peterborough):** I have a petition to the Legislature of Ontario which reads as follows:

"We, the residents of Ontario, draw the attention of the Legislature to the following:

"That long-service employees are being released from their jobs more and more frequently;

"That more and more people are finding jobs unavailable;

"That this harms the economy and increases social benefit budgets.

"Therefore, your petitioners request that the Legislature change the Pension Benefits Act, 1985, revised 1990:

"That a provision should be put in place to coincide with the economy in the 1990s for displaced workers with locked-in pensions;

"That this money should be released and accessible due to (1) financial hardship, (2) loss of job, (3) starting a business, (4) no job available, and the LIF age should be reviewed and lowered."

This is signed by about 185 residents of Ontario.

1520

#### GAMBLING

**Mr Robert V. Callahan (Brampton South):** I have a petition signed by numerous residents in the province of Ontario. It's addressed to the Legislative Assembly of Ontario.

"Whereas the New Democratic Party government has



traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party government has had a historical concern for the poor in society who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

I've signed it myself.

#### FIREARMS SAFETY

**Mr Ernie L. Eves (Parry Sound):** I have a petition to the Legislative Assembly of Ontario:

"We, the undersigned, strenuously object to the Ministry of the Solicitor General's decision on the firearms acquisition certificate course and examination; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

This petition is signed by some 95 constituents and I have affixed my signature thereto, in addition to hundreds of constituents, I might add, who have submitted similar petitions in the past.

#### EMERGENCY SERVICES

**Mrs Irene Mathysen (Middlesex):** I have a petition from Middlesex constituents who utilize emergency services at Four Counties General Hospital in Newbury. Approximately 16,000 people are dependent upon the services at Four Counties General Hospital and petition the Legislative Assembly to call upon the Ministry of Health and the Ontario Medical Association to resolve the issue of emergency medical coverage in rural emergency

departments and ensure that rural residents have the adequate emergency care to which they are entitled.

I have signed my name to this petition.

#### MENTAL HEALTH SERVICES

**Mr Tony Ruprecht (Parkdale):** I have a petition to the Legislative Assembly of Ontario, which reads:

"Whereas the NDP government is hell-bent on establishing a 20-bed forensic facility for the criminally insane at the Queen Street Mental Health Centre; and

"Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social service organizations and hundreds of licensed and unlicensed rooming houses in all of Canada; and

"Whereas there are other parts of Ontario where the criminally insane could be assessed and treated; and

"Whereas no one was consulted, not the local residents and business community, not leaders of community organizations, not the education and child care providers, and not even the NDP member of provincial Parliament in Fort York;

"We, the undersigned residents and business owners of our community, urge the NDP government of Ontario to immediately stop all plans to accommodate the criminally insane in an expanded Queen Street Mental Health Centre until a public consultation process is completed."

I have affixed my signature to the names.

#### LEADER OF THE THIRD PARTY

**Mr Chris Stockwell (Etobicoke West):** I have a petition here to the Legislative Assembly of Ontario.

**Mr Anthony Perruzza (Downsview):** Chris, I only have two of the 10.

**Mr Stockwell:** Tony only has two of the 10.

"We, the undersigned, object to the May 9 statement in the Legislature by the Liberal member for Mississauga West, spreading false and malicious gossip about the next Premier of Ontario, about the outstanding document just released by the Conservative Party, the Common Sense Revolution."

This has been signed by a number of people, and I will include my signature as well.

#### INTRODUCTION OF BILLS

##### HAMILTON AND REGION ARTS COUNCIL ACT, 1994

On motion by Mr Abel, the following bill was given first reading:

Bill Pr96, An Act to revive the Hamilton and Region Arts Council.

#### ORDERS OF THE DAY

##### 1994 ONTARIO BUDGET

Resuming the adjourned debate on the motion that this House approves in general the budgetary policy of the government (1994).

**Mrs Lyn McLeod (Leader of the Opposition):** We were not expecting much from this government in its fourth budget, so we were not surprised that there was not much there. There was not a great deal of damage that was done, as many of the commentators on the budget have already recognized, but then you wonder just

how much more damage this government could do than it has already done.

But if there wasn't any more damage done, it is also a fact that there wasn't anything else in this budget either. There certainly were no jobs, there was no vision, and there was no hope. It was, according to many people, a nothing budget. You might then wonder why I called it, in responding to the budget last week, "a cynical manipulation by a dying government in an election year."

It's rather strong language, perhaps, to describe what many see as being a non-event, a nothing budget, but if it is a last gasp—and we hope it is—it might have been more appropriate to describe it in the poet T.S. Eliot's phrase,

This is the way the world ends  
Not with a bang but a whimper.

But I suggest that this is not a nothing budget, even though it offers virtually nothing. It is a budget that is full of fine, optimistic phrases, a budget that is full of words of false hope, a budget that is full of myths, a budget which does cynically attempt to camouflage the reality of what has happened to this province under almost four years of the economic and the financial mismanagement of the NDP.

It is a cynical attempt to manipulate the voters of this province, hoping that they might forget just a little of what has happened over the past three and a half years. Usually, you ask to forgive and then forget. But the voters of this province clearly cannot forgive the New Democrats for what they have done to this province, and so the government just wants with this budget to help them forget a little.

I'm reminded a little bit of what my kids used to do when the mess in their room got to the point where they just couldn't hide it any longer, couldn't avoid having to clean it up. They would shove as much of the mess as they could under the bed, hoping that maybe nobody would notice. But just as when my kids shoved the mess under the bed, the NDP mess is all still there, and there is nothing in this "Make them feel a little better" budget that has taken any of it away.

But this isn't a kid with a messy room. This is the once-strong province of Ontario reduced to hoping that the credit agencies won't notice how bad our financial situation is, reduced to hoping that our big, strong brother in the south will solve our economic problems and bring us along, because we have a government that has destroyed the world's confidence in us, but worse, we have a government that has destroyed our confidence in ourselves.

1530

We needed leadership at this critical moment, when we have had enough of feeling beaten, when we want to seize the opportunity to build an economic recovery that would get this province and its people working again. That is the kind of leadership the people of this province are looking for and that is the kind of leadership that is nowhere to be found in this budget.

The Finance minister tries to talk a good game in describing the budget, but reality in every case under-

mines the myth that he's trying to create. So let us look at the myths.

Myth number one: This budget creates jobs. Let me state at the very outset that my view is that government does not create jobs; real economic growth creates jobs. It is hard to explain why in this budget the economic growth the Treasurer himself is predicting will occur is not going to produce the jobs we need.

There were 80,000 net new jobs created in the province of Ontario last year. This budget predicts that there will only be 62,000 net new jobs created in Ontario this year; almost 20,000 fewer new jobs this year than were created last year, and this at a point in time at which we all believed and all hoped that we were on the verge of a real economic recovery.

You have to ask why. When all the projections for the coming year are optimistic, why is Ontario producing fewer jobs? Why is our unemployment going to stay at 10.3%, barely moving, a fraction down from the unemployment that we saw last year? In fact, if this government is right in predicting that there will only be 62,000 net new jobs next year, and if we get the 75,000 new entrants to the workforce which we would normally see in the course of a year, our unemployment levels at the end of this year will be higher than they were last year, and that is completely unacceptable.

Why is that? The answer is that in the first quarter of 1994, January, February and March, when the rest of Canada gained 151,000 new jobs, we in Ontario lost 4,000 jobs. While the rest of Canada was moving ahead, Ontario remained in full retreat.

This is one of those places where the budget tries to cover over the reality. In the budget they talk about 350,000 new jobs being created over three years, and if you go all the way to page 50 you will find that the government says there will be 100,000 net new jobs created in the next 12 months. That conveniently allows the government to just take that loss of 4,000 jobs in the first three months of 1994 right out of the calculation.

The NDP's budgets in the past were based on something that we've called a wish and a prayer rather than any kind of sound planning, and when it comes to jobs and economic growth in this budget, nothing has changed. You can't escape the reality of what's happening by simply pretending it's not happening.

I would suggest that people not be fooled by another of the job numbers the government puts into its budget in the hope that nobody will notice that there will be fewer new jobs this year than last. On page 2 of the budget, the government talks about 166,000 jobs that are going to be created and sustained. "Sustained" is an important word, because about 145,000 of those jobs are exactly the same jobs that have been in the budget year after year. They come from the same capital spending that the Liberal government put into the budget, and that, yes, indeed, the New Democrats have maintained.

We are glad of that, although they actually haven't maintained it in its entirety. This is another one that's a little bit difficult to figure out, because budget after budget they keep planning to spend that amount of



money on capital, they keep promising to spend that amount of money on capital, on the infrastructure that we need, but then they cut back every year in mid-year to be able to try to hit their budget targets, and that's another part of the myth. In fact, there have been, over three years, over the three previous budgets of this government, \$1 billion in cuts in promised capital spending.

So let me talk about myth number two. Myth number two is that the province is creating more jobs by expanding its commitment to infrastructure. I'm going to leave it to my Finance critics to explore, or perhaps a better term is to expose, all of the manipulations of the capital funds: what they say they're going to spend and then don't spend; what they say they're going to pay for and what they're actually planning just to put on the credit card, which is a real concern for us.

I do want to note, in passing, the rather interesting fact that in this budget the dollars from the federal Liberal government's infrastructure program, which I think all of us would agree is one of the most significant job encouragement programs that a government has put forward—a real stimulus to job creation across this country—those dollars from the federal government are somehow taken and shown as revenue for the provincial government.

It's a little bit like taking the federal dollars and putting them in your pocket so that you can then turn around and spend them as if they were your own. In fact, this government cuts back on its commitment in many areas, its commitments to roads and capital maintenance at a municipal level, and in Metro alone we see they have been told that they will be cut back by at least \$2 million in support for roads and capital maintenance. That is just a little more of the cynical shell game of a budget which is much more about politics than it is about economic renewal or a real government commitment to jobs or to good financial management.

That brings me to myth number three. Myth number three is that the budget deficit is \$8.5 billion. The auditor has already expressed his concern about the way in which the provincial finances are reported by this government in its budget, and this is where the Minister of Finance himself is openly cynical about the way in which he's presenting his figures.

The minister has acknowledged that he knows that the Provincial Auditor will not approve his budget's presentation of Ontario's financial picture and he knew that his budget would not get the auditor's approval when the budget was developed. I consider that to be absolutely unconscionable.

The government has continued the practice of deferring its pension payments, it has continued its practice of moving spending off book and it does even more of it in this budget. They still are using revenue from one-time-only sales of its assets—this year we see ferries and planes—\$267 million worth of one-time-only sales of assets that are being added to the revenue as a way of making the deficit seem lower, while they face future governments and future taxpayers to pay the cost of leasing back those same facilities year after year.

We believe that there would be about \$2.7 billion more in the deficit figure if the auditor's recommendations to

follow standard accounting practices were being observed in this budget. If you take the \$8.5 billion that the government reports its deficit to be and you add to that the \$2.7 billion that we would be looking at if they followed standard accounting procedures, we see the real deficit to be not \$8.5 billion, but more like \$11.2 billion. I ask you, is this what the Premier of this province tells us is solid progress being made on the deficit—\$11 billion?

Again, I'm going to let our Finance critic dissect all of this smoke-and-mirrors accounting in its fine detail, but I want to take a moment and express my very real concern about what all of this means. It's not just a matter of coming clean with the taxpayers about the true state of our province's finances, as important as it is that there be a clear picture of the reality of this province's finances; it is even more a matter of the way in which this government is building up a legacy of absolutely unmanageable debt.

They've engaged in something called loan-based financing, which is really a way in which you buy now on credit. That loan-based financing, that credit card financing, has gone from \$800 million in last year's budget to \$1.6 billion in this year's budget. If this government were to continue this kind of spending at this level of expenditure, it would add \$8 billion to the debt of this province within a five-year period of time, just for this alone.

1540

It's difficult for us to understand what this loan-based financing, off-book financing is and why it should matter, so try to think about what it would mean to you or to me, how we could relate to this. I think it's a little bit as if we were to go out, you or I, and take a brand-new mortgage out on a brand-new house, not just once, but year after year. We would ask ourselves how much longer we could begin to handle just the interest that we would be paying on those new mortgages year after year.

We have raised our concerns with the accounting procedures. We have asked the auditor, once again, to look at this government's books, not at the end of the year, but now, today, when people want to know what the reality of our finances is. We don't want to have to wait for more than a year, when the bad news has already come in, to understand what new problems this government is creating.

Normally, of course, the auditor looks at the books only at the end of the budget year, when the accounts are finalized and when it's too late to persuade the government to stop the damage that's being done. We think it makes more sense to persuade the government to look honestly and realistically at this province's finances when they bring their budget in. The hope-it-will-get-better approach to the economy is exactly the same approach that this government brings to setting its spending and its deficit targets, and that brings me to myth number four: the myth that this government has reduced its spending.

I suppose, actually, in a way it has. It plans to reduce its spending from what it actually spent last year. Of course, the words in the budget speech don't mention the fact that the government spent \$1 billion more than it

planned to spend last year, and that it is spending \$10 billion more than it spent in 1991. Of course, the budget doesn't even begin to talk about its failure to cut spending in areas where dollars are clearly being spent inefficiently.

I was amazed that this government continued its financial commitment to the Job Ontario Training program, apparently in full, when by any measure of evaluation, including this government's own criteria for how this program was to work, this program has failed to provide any permanent long-term jobs or any effective training.

I'm surprised that this budget boasts of all the added dollars in non-profit housing, which certainly ignores all of the concerns about the inefficiencies in the non-profit housing program.

Of course, there's nothing clearly stated in the budget about where this government has increased its spending. What are the costs, for example, of setting up the new Ontario Training and Adjustment Board bureaucracy? What are the costs of setting up the new bureaucracy for the advocacy legislation? What is the government going to spend to set up the bureaucracy to administer its employment equity legislation? What are the costs of driving the private sector out of child care and out of home health care? What's the brand-new cost of setting up a new, high-profile jobs program which is now to be called Job Link?

Then you might wonder, when we think about the government cutting spending in this budget, when do we find out where they have actually cut the spending and what the impact of those cuts will be? For example, where in this budget does it talk about the impact of the cuts in agriculture spending? Where in this budget do we get past the numbers game and find out what this government's priorities really are?

How do we know that this government is going to save \$350 million on welfare fraud, which they do say in the budget they're going to do, when we don't know how much fraud there is in the welfare system and when there is surely no question that dealing with the problems that we face by hiring welfare police to go over the welfare records is the wrong way to go about making sure that the people who need the support are the ones who are receiving that support in the first place?

It's interesting that the budget actually didn't even mention the cost of the new health cards or how much fraud the new health cards are going to prevent. I wondered, when supposedly this was an important budget measure—it was certainly an announcement that the Minister of Health made just days before the government was to present its budget—why would it not appear in the budget? You actually begin to wonder whether one minister in this government ever talks to the other minister.

Did the Minister of Finance know that the Minister of Health was about to make a significant budget announcement to deal with health care fraud at the same time as she was introducing a new program with costs attached to it to take the steps to deal with fraud? You might have thought that was important enough to figure somewhere in the Minister of Finance's budget.

I guess, rather indirectly, that brings me to another of the myths: myth number five, that any of the figures in this budget are believable anyway. The NDP has consistently failed to meet its budget targets. They have made in-year additions to their deficits for the last three years. Why should this year be any different?

In the first budget, the NDP missed its deficit target by \$1.2 billion. In the 1992 budget, they missed their deficit target by \$2.1 billion. Last year, they missed their deficit target by \$1.1 billion, even after they promised to get their finances under control. In total, the NDP deficit projections have been off by over \$4 billion. The \$4 billion in missed deficits comes also after, as I was suggesting earlier, they tried to manage their deficit problems by cutting more than \$1 billion out of their promised capital spending over the past three years.

The media have already reported leading financial experts doubting any of this government's budget projections for this year. The Globe and Mail recently quoted George Vasic, who's the chief economist at Bunting Warburg, who complains that the NDP missed their target so much that when the NDP bring out this year's numbers, no one is going to believe them anyway.

Then there's the matter of the social contract. I'll confess that I didn't know where to put the social contract in my list of budget myths. Is the social contract a spending restraint that wasn't realized? Is it a deferred debt that doesn't show in this year's deficit and debt figures? I believe it is probably both. It is a failed restraint measure and it is also a deferral of debt liability. It is certainly not what the Treasurer claims that it is in this budget, for he says that the social contract saved \$2 billion last year and avoided 40,000 layoffs. It is certainly not, as the Finance minister claims, about finding ways to provide services more efficiently for the long term. Every one of us who is talking to people in the public sector understands that the social contract has gotten in the way of people sitting down and working together to find ways to provide services more effectively and more efficiently.

#### *Interjections.*

**Mrs McLeod:** Well, I had trouble finding where I could fit the social contract into my list of myths because I realize that it's not just part of another myth; the social contract has a whole mythology of its own. Trying to follow what is happening out there in the various public sectors with the social contract has proven to be more impossible, not only for opposition but for the government itself, than finding your way through the mythical labyrinth.

We have now reached the first anniversary of the social contract. The reality is that in spite of all of the chaos that the government has created with it, the taxpayers are not getting the savings that were promised. No one knows exactly how much of the reported loss of \$1 billion in savings is a result of the failure of the social contract. We have tried to estimate it, at least, at \$600 million but we will have to wait for the government to attempt to unravel the mysteries of what is saving and what is not saving to know exactly how much of a failure the social contract has been to achieve \$2 billion in restraints.



Over the past months we've seen cases where employers were forced to hire temporary staff to fill in the Rae days that were taken by their permanent staff, which didn't make a whole lot of sense to us. We've had reports in the media of the corrections staff working extra days to cover Rae days taken by the salaried employees. We have ambulance operators being forced to hire temporary staff to cover the Rae days of their full-time workers. We have Metro Toronto spending \$800,000 for temporary child care workers to come in to replace the staff that are taking Rae days, and the public is left wondering how hiring temporary workers to cover the Rae days taken by the full-time staff actually saves the taxpayers any money at all.

1550

Then, in addition to the lost savings from hiring temporary workers, we've been told by government officials that their own social contract savings will be off target by at least \$250 million. That figure includes the mistransfer cuts and missavings from pensions.

In the meantime, the government has managed to set up new offices with 50 employees to implement the social contract and spent more taxpayers' dollars doing that. The empire-building for the social contract includes a secretariat, a productivity-saving office, and it cost taxpayers at least \$2.5 million on salaries alone, and only the NDP would build a new bureaucracy in order to bring about spending cuts. But the bottom line is that the government continues to refuse to give the public a full accounting of how much money has been saved under the social contract and how many new costs it has created.

The budget talks about finding "efficiencies" to ensure that the \$2 billion in restraint, which has not been achieved yet, is going to be maintained after the end of the social contract. We have no idea what that means. What kinds of efficiencies are people being asked to put in place? Do the efficiencies that the Finance minister is talking about in this budget mean that there will be no catch-up on salaries? Is that what he would call an efficiency? Does it mean that there will be no reinstatement of the increments in salaries, so that there will be absolutely no response to the inequities that have been created by the arbitrary imposition of the terms of the social contract legislation?

There is only one thing that we know about what will happen when the social contract expires in 1996 or when it can be removed by a change of government before 1996. The one thing we know for certain is that the NDP will not be around to clean up the mess they created. But unfortunately for taxpayers, the social contract's problems will not be over.

Well, back to the myth that we can at least try and sort our way through, and I'll set the social contract aside for now and come to myth number six. Myth number six is that there are no tax increases in this budget. Technically, in terms of a new tax or a newly increased tax, again I suppose there is some truth to the statement. But the reality for taxpayers out there, the taxpayers that have to spend those dollars each year, is not what is in this budget; it's what is still hitting them from last year's budget.

Most of the \$500 million more that the Treasurer is planning to collect in increased retail sales tax revenues comes from the taxes that he put in his last budget, comes from the tax on auto insurance. If you want to see a group of angry taxpayers, you just need to look at the thousands and thousands of responses from angry taxpayers who have written to us about last year's tax on auto insurance.

The increased revenue is going to come to the Treasurer from the tax that was put on home insurance and the tax on health insurance; \$475 million dollars of the \$500 million in increased revenues from sales tax in this budget will come from the tax increases that the government put into last year's budget, and surely that is still a tax increase. Then you've got the \$100 million more from the surtax on higher-income earners, which is now in effect for 12 months, and that too is a tax increase in this budget, certainly for the people that are paying the tax, even if it is not for the Treasurer.

In case anyone is inclined to forget even a little what this government has done to taxpayers over the past four years, let me remind you that the average family in this province, with an income of about \$48,253, is paying about \$663 more in taxes because of this government's increase in taxes, budget after budget.

Let me remind you that in its first three budgets the NDP raised 43 taxes, taking \$4 billion out of Ontario's economy, and that in addition to that they raised fees by \$400 million. I have here five pages, in small print, line by line, of tax and fee increases brought in by the New Democrats budget by budget. I glance at the clock and wonder whether or not in the balance of time this afternoon I can even get through indicating and reminding people of the sheer list of taxes that have been raised by this government.

I think we also have to remember that even with \$4 billion in tax increases, the NDP's tax revenue has actually dropped by \$1.8 billion. We know that at least \$4 billion has been lost through the underground economy, and the message the government had received when it went to put together this fourth budget had become clear even to the New Democrats: that we are overtaxed, overtaxed to the point where taxes are killing jobs and hurting this economy, and common sense said even to the New Democrats that they had to hold the line on taxes in this budget.

Common sense and concern for the economy also suggested to them that in fact they had to look at selected tax reductions. We've supported a reduction in the employer health tax. In fact, in our economic policy statement that we released last month we called for a 5% reduction in taxes over five years and we particularly looked at the importance of a reduction in payroll taxes, because we talked to those same people the Finance minister talked about earlier this afternoon. We went out and talked to people in communities and in businesses across the province, and they said to us very clearly that payroll taxes are indeed a killer of jobs.

So we believe that the government, in bringing about some reduction in the payroll tax, was taking a step in the right direction. I'm not convinced that they have pres-

ented that tax reduction in a way which will be equitable or fair or easy to implement, but I believe it is a step in the right direction. Unfortunately, it is much too little much too late.

This budget offers too little much too late for young people in this province as well, and I want to focus for a moment on what is a real tragedy, and that is the tragedy of unemployment among our young people.

The unemployment among young people between the ages of 18 and 24 is reported to be something in the order of 19%. We believe that the real unemployment level among this group of young people is actually much higher, that it's probably closer to 30%, because there are so many young people, not just between the ages of 18 to 24 but well beyond the age of 24, young people who have gone on to complete their high school programs, have gone into training programs, have gone on to colleges and universities, young people who are graduating this spring and looking for jobs and the jobs aren't there, so they have simply stopped looking. They have given up in complete discouragement because they feel there is little hope for them.

There is nothing in this budget for those young people, nothing to speak to their sense of desperation and despair and their lack of hope. There is a line, I think it's in a paragraph on page 7 of the budget, that is a rather feeble attempt to say that this budget provides funds for youth employment. But there are no new funds for youth employment. There are just fewer dollars for fewer hours of work for a few more young people this summer, and that is not good enough to give the young people of this province some reason to believe their talents are going to be used to make a contribution and they are going to have some sense of hope and security in their future.

What is not in the budget is the decision to raise tuition fees for students in the province of Ontario by 20% over the next two years. It is perhaps not surprising that in a budget which offers nothing to young people, the budget would also just conveniently ignore a significant announcement made by this government only a few weeks ago on tuition fees for students.

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This is a budget, as I suggested before, that perpetuates the myth that there are no new taxes this year. But I say to you that 20% increases in tuition are a tax indeed; they are a tax on the financially vulnerable people of this province; they are a new tax, an increased tax on the students of this province. The government just forgets to mention that. The government forgets to mention that it increased its tax on students when it says there are no tax increases in this budget. They forget that they made it even more financially difficult for students who can't find jobs to at least stay in school.

When they talk about investing in training for young people—what wonderfully fine words: “Investing in training for young people”—where is there anything in this budget that shows that there is a real investment in training for young people? Just the opposite. That is myth number seven, and it's a rather sad myth. It's the myth that this budget offers anything for young people. But at least the Finance minister has the decency to be a little

quieter on this one, because young people get left out of the minister's conclusions altogether.

Lastly, I come to myth number eight, and this is a myth which we've heard often in this Legislature in the last weeks and I suspect that we will hear often in future weeks as this government desperately tries to blame the problems of this province on anybody else that it can find to blame. Myth number eight is, “The feds did this to us.”

Again, I have to acknowledge that this is only partly myth, because a federal Tory government did cap the transfer payments in a unilateral and arbitrary way to Ontario and to Alberta and to British Columbia.

*Interjections.*

**Mrs McLeod:** Our friends in the third party find that a matter for some humour, but I can assure you that the government of the day, when those transfer payments were capped by the Tory government, did not find it quite such a humorous matter as they tried to deal with the deficit that they were finding in their government.

As we go back and recognize that a federal Tory government did cap the transfer payments and that Ontario is now not getting its fair share, and we acknowledge that, it is because capped transfers don't work when the province is facing the kind of economic problems that this province has been facing for the past three and a half years, when the provincial government is presiding over an economy that it has helped to shatter and an unemployment level that has doubled since the New Democrats came to office.

Where the claim that the NDP can blame the federal government for its problems becomes particularly mythical, however, is when you look at the specifics of this year's budget, where the Treasurer received exactly what the previous federal government had indicated that the province would receive. We can certainly argue that it was not fair, that what the federal Tories were going to give Ontario was not a fair allocation, and we would agree with that. But it is totally wrong for the government of Ontario to say that what it expected to receive was cut back by the current federal government.

There was no bailout for the Ontario Treasurer in this budget from the federal government, apart from that \$253 million in infrastructure payments which he conveniently put in his pocket. Apart from that, I will agree that there was no bailout for the Ontario Treasurer in this budget from the federal government, but there was no decrease either. Suggesting that they have budget problems because of decreased support from the current government is simply not true.

In fact, if I stretch a little bit to attempt to put the whole thing in perspective, even recognizing that under the federal Tory government the transfer payments to Ontario for education and health care actually increased by something like \$775 million during Bob Rae's term in office, I would be presenting a true picture and perhaps a fair perspective.

It's also interesting that those increases in transfer payments for education and health care, two of the top priorities for people in this province and, I would have



thought, two of the top priorities for the government of the day, were not passed on in full measure to those who provide the health care and the education of this province. You wonder what it says about this current Ontario government's priorities when it doesn't even pass on what it does receive from the federal government to serve the purposes of quality education and quality health care.

I think the myth becomes even more ludicrous when the NDP government, the government that has been in office for some three and a half years now, tries to blame the kinds of problems that it has created for this province, tries to blame the problems created by three and a half years of economic and financial mismanagement, on a new federal government that has been in office only six months. That is truly ludicrous.

It is a reflection of the complete failure of this government to accept the reality and the responsibility for the mess the government itself has made. They will blame anybody but themselves. They will blame the opposition parties, they will blame the world recession, they will even blame the media and now they will blame a federal government that has only been in office for six months. They will blame everybody but themselves as they continue to refuse to take responsibility for this province's economic problems.

There is one myth the budget has actually destroyed, and that is the myth that this government was ever committed to social assistance reform or to child care reform. For months and, indeed I would say, for years we have had pronouncements from the government about social assistance reform and child care reform and we have had no action at all. We have had announcements even about social assistance reform and child care reform, but we've had announcements with no costing at all. Now it is clear that there is no money for social assistance reform or for child care reform.

Now that this budget has destroyed that myth of commitment to social assistance reform or child care reform, maybe now this government will stop making its campaign-style announcements across the province when it has no commitment to ever putting those new programs in place. Perhaps, just perhaps, we can stop some of the political rhetoric and finger-pointing and blame-laying and we can get on with the job of actually working in real cooperation with the federal government to bring about real reform in our social programs, because that's what's needed and that's what the people of this province are looking for.

This budget is a sorry attempt to offer a "Make them feel a little better." It is a budget of a dying government. It is a budget of a government that has simply stopped trying. It's a budget that offers no bold new ideas, no vision of what this province can and must be. The bottom-line reality is that this government cannot camouflage its own legacy. They cannot hide from a made-in-Ontario recession that has given us record unemployment, skyrocketing deficits and debt and \$4 billion in new taxes.

This government cannot and will not ever be able to escape from the fatal mistake of trying to spend its way out of a recession in its first budget. They cannot escape

from the reality of their record. The record is 200,000 more people out of work. The record shows that the welfare case load in this province has doubled during the term of this government. It shows that Ontario has gone from having the lowest unemployment rate in Canada to having the sixth-highest unemployment rate in Canada. The province that used to lead this country's economy is now trailing its recovery. It is a record that shows that 145,680 manufacturing jobs, once the strength of this province's economy, were lost from September 1990 to July 1993. And our deficit is still almost three times what it was when it reached the previous historic high, which we experienced in the last budget of the Tory government in Ontario. It is a record that shows that in spite of \$4 billion in taxes, the four Bob Rae budgets have spent 25% more money than they have actually raised.

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This record cannot easily be erased, and real confidence will not be restored in this province while this government remains in office. This Finance minister has said he would be proud to go to the polls with this budget. If he believes this budget is good news, then let's go to the polls and let the public decide.

That is my analysis of what I have called a cynical budget, a budget with no jobs, no vision and no hope, a budget that tries, and fails, to make people forget how bad the years of the NDP government have been.

But I will acknowledge that while the budget presented by the government is full of myth, not fact—

**Mr Chris Stockwell (Etobicoke West):** Now it's our turn.

**Mrs McLeod:** Yes indeed, as the member from the third party says, it is your turn, because the NDP are no more guilty of avoiding reality than the Tories are in the Mike Harris plan.

I could expose a whole new set of myths as we examine the proposals for the so-called revolution, the plan to make the party of John Robarts and Bill Davis into Ralph Klein-Preston Manning wannabes. We see today, of course, that this is not a Common Sense Revolution; it is indeed a new form of the American Revolution, and we see that it is complete with a new invasion of Canada by the Americans, well orchestrated by the leader of the third party.

But let me return to the myths in the Mike Harris proposals.

It is certainly a myth that this revolution could produce some 225,000 more jobs than the current government believes can be created, when the economy, during this so-called revolution proposed by the leader of the third party, is actually for some reason going to grow more slowly than it would in NDP Ontario. It's hard to know how you can create 225,000 more jobs with even slower economic growth than this province has experienced under the New Democrats.

And it is definitely a myth that you can expect to balance the budget—not just the operating budget, but the operating and the capital budget—within four years without better economic growth, with a 30% cut in income tax, and without cutting services in health and

education and community safety and municipal transfers, and of course the debt payments, which inevitably are going to have to go up while this miracle of budget-balancing is under way.

If I can follow the Mike Harris plan, if I can understand it, if the revolution does what it actually says it's to do and cuts 20% of the total budget spending—I draw people's attention to page 1, point 2, where it says, cut 20% of the total spending of the budget—you might come close to balancing a budget. But of course you can't cut 20% of the total budget by dealing only with what the Harris plan calls "non-priority" areas, so it seems to me that this would mean much more devastating cuts in non-priority areas. If we take the plan as what the words say it's all about, the non-priority areas make up only about 40% of the budget. That means that to get a 20% cut in the total spending of the budget, using only 40% of the budget as a target for your cuts, you have to think about what would happen if you actually tried to make cuts of 50% or better in children's services or in agriculture, or in tourism, or in forest generation, which is the basis of the economy in my part of the province.

None of this is possible. It is not common sense; it is absolute nonsense. But then, it is all myth anyway, because the Harris plan and its numbers simply don't add up. I've tried looking at the fact that "20% of total spending" means cutting more than \$6 billion, yet \$6 billion is what the Harris plan says they need to cut, even though they intend to cut 20% of total spending, although elsewhere they say that it's only 20% of non-priority spending that they want to be cutting, and 20% of non-priority spending is actually only \$4 billion in cuts, which is less than what they say they need to cut, which is \$6 billion.

The bottom line, if there is a bottom line, would seem to be that they want to cut \$5 billion in taxes and only cut \$6 billion in spending and still balance the budget within four years. Again, that is not common sense; it is absolute nonsense.

But then, when I try and wind my way through the figures in the Harris plan, it starts to read a little bit like something Alice in Wonderland would have encountered at the Mad Hatter's tea party, and it makes my head spin. I will leave it to others to figure out what it means.

The Tory numbers are more complicated to follow than the NDP's budget statements about how many jobs are going to be created this year, or at least in the next 12 months, or at least will be supported or sustained over the next year, or in the next three years. All I know is that the Tory numbers don't add up any better than the numbers in the NDP budget. The rhetoric and the unrealistic, unachievable promises have just flipped from one ideological extreme to the other. They remain unrealistic and completely unachievable, hollow, empty promises, and people have had enough of that.

Mike Harris and the NDP are also somewhat similar in wanting to build a little bit of selective memory into their rhetoric, and that is yet another place where reality undermines the myth that the Tories are trying to create, just as reality undermines the myth that the NDP budget tries to create.

One of those myths we have is this myth of "Mike Harris the tax fighter," and we've all heard that one. But I wonder if anybody with a little less selective memory actually remembers that when the Tories were last in office, Mike Harris the tax fighter supported 16 Tory tax hikes which actually totalled more than \$1.8 billion.

I didn't take time to read my five pages in small print of the taxes that the NDP has raised over the past three and a half years, but I am going to take time, because memory is kind of a short thing, and I think it's important for us to go back and remember the kind of taxes that Mike Harris supported while he was in government. Those taxes included, in the 1981 budget: income tax raised 4%, for \$450 million in revenue; OHIP premiums raised by 15%, for \$120 million in revenue; fuel tax raised by \$135 million; tobacco tax raised by \$50 million; alcohol taxes raised by \$32 million.

It's an interesting fact of history, reality, that provincial Ministry of Finance staff have confirmed that the 1981 Frank Miller budget—supported 100%, apparently, by Mike Harris—was the largest tax increase in Ontario's history when you take into account inflation, even larger than the increases of the NDP government.

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But Mike Harris and the Tories didn't stop there. They raised taxes again in their 1982 budget, and those taxes included another \$170-million increase in OHIP premiums. They broadened the base of the provincial sales tax—broadened the base of the provincial sales tax?—to generate another \$230 million, and increased alcohol taxes by \$27 million.

Then, in 1983 Mike Harris and the Tories raised taxes again, a third increase in OHIP premiums totalling \$60 million; another \$31-million increase in alcohol taxes—don't we have a problem with alcohol taxes today?—a \$70-million increase in corporate taxes—Mike Harris the tax fighter supporting a raise in corporate taxes—and surprisingly, Mike Harris the tax fighter, about to bring in a 30% reduction in income taxes, supported in 1983 Ontario's first income tax surcharge, to gain \$170 million.

In 1984, Mike Harris and the Tories brought in what was to be their last budget before the 1985 provincial election. They were facing the same kind of situation the Minister of Finance and the NDP government face. They wanted it to be a good-news budget, but they didn't succeed in doing what at least the New Democrats did with their fourth budget. They didn't succeed in bringing in a budget with no new taxes, because their 1984 budget, their pre-election good-news budget, included a fourth increase to OHIP premiums worth \$69 million and water power charges increases totalling \$44 million.

So much for the myth of Mike Harris the tax fighter. I think the record of Mike Harris the tax fighter puts him right up there with his federal friend of goods and services tax fame.

I am critical of budgets that offer no vision and no sense of reality, and that is what the NDP's fourth budget has given us, no vision and no sense of reality, and I will be critical of proposals from the third party that are equally unrealistic and unachievable.



I happen to believe that the people of this province need and want more than that and that they deserve more than that. I believe that the people of this province want real leadership, leadership that is based on a vision of the strengths of this province and a conviction that we can indeed become North America's leading economy.

We in our party have offered that kind of vision and we have set that kind of goal. Our goal and our commitment is to reduce the unemployment levels in this province to 6% within five years, because we cannot and will not accept the NDP's predictions that a 9% unemployment level is good enough for the people of the province of Ontario.

But the people of this province want even more than vision, they want even more than clearly stated goals—ambitious, yes, but achievable, yes. They also want balanced and realistic plans to achieve the goals, and we have presented those as well. Unlike the hollow promises and the rhetorical approach of the Tories, our plan is a realistic plan to create jobs and indeed to get this province working again.

As I indicated earlier, we, like the Treasurer, I suppose, went out earlier this year. We went out with our jobs task force. We talked to people in 15 different communities about where they saw the jobs of the future coming from, because we became truly concerned that we would see in this province what we see reflected in this budget: that even with economic growth, the economic growth would not come with jobs. We were truly concerned that the economic growth that we all hope is around the corner, in spite of this government, would not actually get people back to work again.

We went out and we talked to people about where they saw the jobs in their communities coming from in the future, and our jobs task force came back and made a report. The report of our jobs task force led clearly to one inescapable, indisputable conclusion, and that's that Ontario's unemployment situation is nothing short of a crisis, and it requires in response nothing less than a full-out war on unemployment.

It is that war on unemployment, that refusal to accept the fact that we remain content with 10% or 9% unemployment levels, that is absent in this budget that this government has presented.

The work of our jobs task force led us to put together a plan that we truly believe deserves the commitment, the total energies of government in order to make Ontario North America's leading economy. We have set a goal of creating 150,000 more jobs over the next five years than the government has anticipated, and that would reduce our unemployment levels to 6%.

We have proposed, as part of our five-point plan, to reduce the overall tax burden in this province by 5% over five years, which we believe to be realistic and doable without driving the deficit of this province up.

We have proposed and are committed to reducing the cost to business of paperwork and regulation, the cost of red tape by nothing less than 50% over five years, and that is well beyond a statement in this budget that this government is going to bring in some kind of legislation

to cut red tape that it has built up over the last three and a half years.

When there is legislation presented that cuts red tape, I will be a little less sceptical about this government's intent.

**Mr Kimble Sutherland (Oxford):** What did you do for five years?

**The Acting Speaker (Ms Margaret H. Harrington):** The member for Oxford, come to order.

**Mrs McLeod:** We have recognized in our five-point plan, that we have 1960s tools and structures of government dealing with a 1990s reality. We have committed ourselves to reform of government programs, a real reform of social assistance and to real reform of the Workers' Compensation Board and in fact our Labour critic has presented proposals for truly radical reform of the Workers' Compensation Board without cutting benefits to injured workers in this province.

We have recognized that in order to be North America's leading economy, we must have the best-trained workforce in North America, and we are committed to a quality education and training program. I say that the Ontario Training and Adjustment Board and the Jobs Ontario Training program are not part of our approach to having a quality education and training program.

We have heard from small and medium-sized business, where the jobs of the future will be created, that they need access to financing, that we do need to challenge banks to improve their services to small and medium-sized businesses, but that we need to go beyond that.

What we heard from small and medium-sized businesses was that for the small business to grow larger they have to be able to export. This is a global economy. It is not the kind of free trade economy in which we invite the Americans to come over and run our advertising campaigns, but it is nevertheless a global economy, and Ontario can be a strong and successful participant in the global economy but our small and medium-sized business people need support to know how they can become exporters, how they can get information about export markets, and that is part of our commitment to creating the kind of climate in which we can have real economic growth.

The response to our plan for job creation and economic renewal in this province has been overwhelmingly supportive.

Lloyd Atkinson, who is the chief economist for the Bank of Montreal, has said, "It is reasonable that reductions in taxes and reductions in the regulatory burden would all work in the direction of improving the jobs environment."

Paul Oliver, who's the president of the Ontario Restaurant Association, has said, "With the jobs task force report, Lyn McLeod recognizes that government can't unilaterally drive the economy, but can build labour-management consensus to get Ontario working again."

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Joe Mancinelli, who is the subregional manager of the Labourers' International Union of North America, said: "This is a creative, commonsense document that

addresses all of the components of the job issue in Ontario. It sketches a plan all Ontarians should be happy to review and implement."

Bill Hurst, who is the counsellor for Metro Youth Job Corps, said: "I'm happy the JTF took youth unemployment seriously by addressing it in a formalized way. It's important that they have included youth concerns in a real position paper...which indicates that they have listened to some degree about young people's frustrations."

Jerry Kinsella, who's the business manager of Local 172, restoration and steeplejacks, said that the jobs task force plan is "solid work that brings a balanced and reasonable approach to the job creation debate. The JTF has retained a human dimension in considering competing public policy options."

Philip Buxton, who is a senior member of management for Credit Suisse Canada, says the task force report is "a good paper with clear economic growth vision. There are options spelled out here that can be translated into clear steps whose success can be measured against the vision."

Alasdair McKichan, the president of the Retail Council of Canada, has said: "Employment levels have a direct bearing on retailers' health...they recognize their future is bound up in imaginative solutions to the jobs crisis. The JTF report offers a number of positive solutions, particularly in the realm of simplifying the role of the employer."

This kind of vote of confidence is the kind of confidence that the province of Ontario is seeking. People in this province are seeking confidence that there is a vision and that there is also a realistic and workable plan to achieve it.

They're looking for confidence that government is ready to commit all of its resources to achieving the goal of getting this province and its people working again. What people want most of all and what they need most of all is the confidence that they can face the future with optimism and with hope.

It was a shocking fact that in a survey which we recently did of people living in the Metro Toronto area, with over 2,000 responses, two out of three of the people responding believed that they could lose their job within the year. I am convinced that kind of anxiety about the future would be reflected in every community across this province. That is not good enough for the people of Ontario and not good enough for this province.

The budget that was presented last week does not establish that sense of confidence. I would suggest to you, to all members of this House, that a four-page supplement in the daily newspapers of this province to try to convince us once again that "Ontario's Budget Plan Is Working" is not adding anything to the confidence of the people of Ontario that their future is secure and that they will be working again.

Because this budget does nothing to establish that desperately needed sense of confidence about our future, I would therefore move that the resolution moved by the Minister of Finance on May 5 "that this House approve in general the budgetary policy of the government" be

amended by deleting the words following the words "that this House" and adding thereto the following:

"Recognizing that the budgetary policy put forward by the Minister of Finance offers no news, no jobs and no hope to get Ontario working again; and

"That the NDP budget fails to respond to the 590,000 people in Ontario who are unemployed, and accepts that high levels of unemployment will be part of our future for years to come; and

"That this budget does little to offset the NDP's legacy of \$4 billion in new taxes and \$400 million in fee increases, which are the highest tax increases since the Tories were in office; and

"That the budget does virtually nothing to address the \$40 billion in new debt added by the NDP, which is the largest increase in the provincial debt since the Tories were in office; and

"That the NDP's refusal to pursue a fiscally responsible plan for the first three and a half years of its mandate has created a fiscal crisis which has resulted in job losses and hampered the economic recovery in the province; and

"That the NDP have refused to recognize the job-killing economic impact of their anti-business legislation; and

"That the NDP's more than \$2-billion hidden deficit plan of hiding debt through loan-based financing, debt-financing capital corporations, delayed pension payments, and the one-time fire sale of government assets are short-term solutions which do little to restore business and investor confidence; and

"That the NDP have refused to implement the Provincial Auditor's recommendations to fully account for the real deficit of the province; and

"That at a time when the people of Ontario were looking for bold new ideas and leadership, the NDP decided to throw in the towel and release a stand-pat budget that is clearly the last gasp of a dying government; and

"That the NDP budget is as full of empty rhetoric and as unable to put the people of this province back to work as the Tories' economic framework; and

"That the NDP refuse to implement a realistic Liberal plan to bring unemployment down to at least 6% by:

"—Cutting the overall tax burden by 5% over five years;

"—Reducing the cost of dealing with red tape by 50% over five years;

"—Achieving a balanced operating budget within a Liberal government's first mandate;

"—Keeping a firm lid on WCB premium increases;

"—Improving businesses' access to financing, through challenging banks to improve their service to small and medium-sized businesses and requiring financial institutions to prepare and publish codes of conduct for such financing;

"—Renewing our commitment to global trading and improving our infrastructure; and



"Failing to implement this realistic plan,

"We therefore propose that the House has lost confidence in this government."

**Mr David Johnson (Don Mills):** As I understand it, at this point it is the tradition that the debate be adjourned and be picked up tomorrow, and I move adjournment of the debate at this point.

**The Acting Speaker:** Is it the pleasure of the House

that the debate be adjourned? The Chief Government Whip.

**Hon Fred Wilson (Chief Government Whip):** Madam Speaker, I move adjournment of the House.

**The Acting Speaker:** Do we have agreement that the House be adjourned at this time? Agreed. This House stands adjourned until tomorrow, Tuesday, at 1:30.

The House adjourned at 1643.

### ERRATUM

No.	Page	Column	Line	Should read:
125	6136	1	48	the member for Kenora—no. The member knows that if

**LEGISLATIVE ASSEMBLY OF ONTARIO  
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	<b>Wildman, Hon/L'hon Bud</b> (ND) Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones	Grey-Owen Sound	Murdoch, Bill (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph	Fletcher, Derek (ND)
Beaches-Woodbine	<b>Lankin, Hon/L'hon Frances</b> (ND) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce	Halton Centre/-Centre	Sullivan, Barbara (L)
Brampton North/-Nord	<b>McClelland, Carman</b> (L)	Halton North/-Nord	Duignan, Noel (ND)
Brampton South/-Sud	Callahan, Robert V. (L)	Hamilton Centre/-Centre	<b>Christopherson, Hon/ L'hon David</b> (ND) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Brant-Haldimand	Eddy, Ron (L)	Hamilton East/-Est	<b>Mackenzie, Hon/L'hon Bob</b> (ND) Minister of Labour / ministre du Travail
Brantford	<b>Ward, Hon/L'hon Brad</b> (ND) Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances	Hamilton Mountain	<b>Charlton, Hon/L'hon Brian A.</b> (ND) Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Bruce	Elston, Murray J. (L)	Hamilton West/-Ouest	<b>Allen, Hon/L'hon Richard</b> (ND) Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Burlington South/-Sud	Jackson, Cameron (PC)	Hastings-Peterborough	<b>Buchanan, Hon/L'hon Elmer</b> (ND) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Cambridge	<b>Farnan, Hon/L'hon Mike</b> (ND) Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation	High Park-Swansea	<b>Ziemia, Hon/L'hon Elaine</b> (ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Carleton	Sterling, Norman W. (PC)	Huron	Klopp, Paul (ND)
Carleton East/-Est	Morin, Gilles E. (L)	Kenora	Miclash, Frank (L)
Chatham-Kent	Hope, Randy R. (ND)	Kingston and The Islands / Kingston et Les Îles	Wilson, Gary (ND)
Cochrane North/-Nord	Wood, Len (ND)	Kitchener	Ferguson, Will (Ind)
Cochrane South/-Sud	Bisson, Gilles (ND)	Kitchener-Wilmot	Cooper, Mike (ND)
Cornwall	Cleary, John C. (L)	Lake Nipigon/Lac-Nipigon	<b>Pouliot, Hon/L'hon Gilles</b> (ND) Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Don Mills	Johnson, David (PC)	Lambton	MacKinnon, Ellen (ND)
Dovercourt	<b>Silipo, Hon/L'hon Tony</b> (ND) Minister of Community and Social Services / ministre des Services sociaux et communautaires	Lanark-Renfrew	Jordan, Leo (PC)
Downsview	Perruzza, Anthony (ND)	Lawrence	Cordiano, Joseph (L)
Dufferin-Peel	Tilson, David (PC)	Leeds-Grenville	Runciman, Robert W. (PC)
Durham Centre/-Centre	White, Drummond (ND)	Lincoln	Hansen, Ron (ND)
Durham East/-Est	Mills, Gordon (ND)	London Centre/-Centre	<b>Boyd, Hon/L'hon Marion</b> (ND) Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Durham West/-Ouest	Wiseman, Jim (ND)	London North/-Nord	Cunningham, Dianne (PC)
Durham-York	O'Connor, Larry (ND)	London South/-Sud	Winninger, David (ND)
Eglinton	Poole, Dianne (L)	Markham	Cousens, W. Donald (PC)
Elgin	North, Peter (Ind)	Middlesex	Mathysen, Irene (ND)
Essex-Kent	Hayes, Pat (ND)	Mississauga East/-Est	Sola, John (Ind)
Essex South/-Sud	Crozier, Bruce (L)	Mississauga North/-Nord	Offer, Steven (L)
Etobicoke-Humber	Henderson, D. James (L)	Mississauga South/-Sud	Marland, Margaret (PC)
Etobicoke-Lakeshore	<b>Grier, Hon/L'hon Ruth</b> (ND) Minister of Health / ministre de la Santé		
Etobicoke-Rexdale	<b>Philip, Hon/L'hon Ed</b> (ND) Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto		
Etobicoke West/-Ouest	Stockwell, Chris (PC)		
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition		
Fort York	Marchese, Rosario (ND)		
Frontenac-Addington	<b>Wilson, Hon/L'hon Fred</b> (ND) Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement		



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West/-Ouest	Mahoney, Steven W. (L)	St Andrew-St Patrick	Akande, Zanana L. (ND)
Muskoka-Georgian Bay	Waters, Daniel (ND)	St Catharines	Bradley, James J. (L)
Nepean	Daigeler, Hans (L)	St Catharines-Brock	Haeck, Christel (ND)
Niagara Falls	Harrington, Margaret H. (ND)	St George-St David	Murphy, Tim (L)
Niagara South/-Sud	<b>Coppen, Hon/L'hon Shirley</b> (ND) Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs	Sarnia	Huget, Bob (ND)
Nickel Belt	<b>Laughren, Hon/L'hon Floyd</b> (ND) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)
Nipissing	Harris, Michael D. (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Norfolk	Jamison, Norm (ND)	Scarborough Centre/-Centre	Owens, Stephen (ND)
Northumberland	Fawcett, Joan M. (L)	Scarborough East/-Est	Frankford, Robert (ND)
Oakville South/-Sud	Carr, Gary (PC)	Scarborough-Ellesmere	<b>Warner, Hon/L'hon David</b> (ND)
Oakwood	Rizzo, Tony (ND)		Speaker / Président
Oriole	Caplan, Elinor (L)	Scarborough North/-Nord	Curling, Alvin (L)
Oshawa	<b>Pilkey, Hon/L'hon Allan</b> (ND) Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales	Scarborough West/-Ouest	<b>Swarbrick, Hon/L'hon Anne</b> (ND) Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Ottawa Centre/-Centre	<b>Gigantes, Hon/L'hon Evelyn</b> (ND) Minister of Housing / ministre du Logement	Simcoe Centre/-Centre	Wessinger, Paul (ND)
Ottawa East/-Est	Grandmaître, Bernard (L)	Simcoe East/-Est	McLean, Allan K. (PC)
Ottawa-Rideau	O'Neill, Yvonne (L)	Simcoe West/-Ouest	Wilson, Jim (PC)
Ottawa South/-Sud	McGuinty, Dalton (L)	Sudbury	Murdock, Sharon (ND)
Ottawa West/-Ouest	Chiarelli, Robert (L)	Sudbury East/-Est	<b>Martel, Hon/L'hon Shelley</b> (ND) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Oxford	Sutherland, Kimble (ND)		Ramsay, David (L)
Parkdale	Ruprecht, Tony (L)	Timiskaming	Hodgson, Chris (PC)
Parry Sound	Eves, Ernie L. (PC)	Victoria-Haliburton	Witmer, Elizabeth (PC)
Perth	Haslam, Karen (ND)	Waterloo North/-Nord	Kormos, Peter (ND)
Peterborough	Carter, Jenny (ND)	Welland-Thorold	Arnott, Ted (PC)
Port Arthur	<b>Wark-Martyn, Hon/L'hon Shelley</b> (ND) Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé	Wellington	Morrow, Mark (ND)
Prescott and Russell / Prescott et Russell	Poirier, Jean (L)	Wentworth East/-Est	Abel, Donald (ND)
Prince Edward-Lennox-South Hastings/Prince Edward-Lennox-Hastings-Sud	Johnson, Paul R. (ND)	Wentworth North/-Nord	Harnick, Charles (PC)
Quinte	O'Neil, Hugh (L)	Willowdale	Kwinter, Monte (L)
Rainy River	<b>Hampton, Hon/L'hon Howard</b> (ND) Minister of Natural Resources / ministre des Richesses naturelles	Wilson Heights	<b>Cooke, Hon/L'hon David S.</b> (ND) Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'œuvre
Renfrew North/-Nord	Conway, Sean G. (L)	Windsor-Sandwich	Dadamo, George (ND)
Riverdale	<b>Churley, Hon/L'hon Marilyn</b> (ND) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	Windsor-Walkerville	Lessard, Wayne (ND)
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Noble (PC)	York Centre/-Centre	Sorbara, Gregory S. (L)
		York East/-Est	Malkowski, Gary (ND)
		York Mills	Turnbull, David (PC)
		York-Mackenzie	Beer, Charles (L)
		York South/-Sud	<b>Rae, Hon/L'hon Bob</b> (ND) Premier, President of the Executive Council, Minister of Inter-governmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
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of Ontario**

Third Session, 35th Parliament

**Assemblée législative  
de l'Ontario**Troisième session, 35<sup>e</sup> législature**Official Report  
of Debates  
(Hansard)**

Tuesday 10 May 1994

**Journal  
des débats  
(Hansard)**

Mardi 10 mai 1994

Speaker  
Honourable David WarnerClerk  
Claude L. DesRosiersPrésident  
L'honorable David WarnerGreffier  
Claude L. DesRosiers*50th anniversary**1944–1994**50<sup>e</sup> anniversaire*

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 10 May 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 10 mai 1994

The House met at 1333.

Prayers.

## MEMBERS' STATEMENTS CLOSING OF CAMPGROUNDS

**Mr John C. Cleary (Cornwall):** I was disappointed to learn last week that the NDP government is closing another eight provincial parks in northern and eastern Ontario, meaning that 40 more people have been put out of jobs thanks to this government.

The Liberal caucus has been trying for months to make the government see the relationship between allowing the private sector to operate the campgrounds and the spinoff effects that will occur in the region. I've raised the matter with the Minister of Culture, Tourism and Recreation, her parliamentary assistant, the Minister of Finance and, recently, the Chairman of Management Board. Mr Charlton told me on April 13 that OPSEU president Fred Upshaw would be meeting with local unions to work out some kind of an agreement on contracting out and successor rights.

Local OPSEU officials are upset that they have heard nothing about the progress being made. Apparently, the discussions are at a standstill because Mr Upshaw's staff is on holiday.

Unemployed men and women in eastern Ontario want to work. Students want summer jobs. Business people want tourists in the area. Opening the parks would go a long way to help eastern Ontario recover from the recession.

Investors are set to pump money into the Raisin River and Charlottenburgh parks if the government is only willing to make an effort to work things out quickly. Eastern Ontario deserves nothing less.

## CORPORATION FILING PROGRAM

**Mr Allan K. McLean (Simcoe East):** My statement is for the Minister of Consumer and Commercial Relations and it concerns her government's job-killing program to shut down business in Ontario.

Minister, a growing number of people in Simcoe East, like Chris and Ross Coneybeare, believe your tax-grabbing corporation filing fee, imposed two years ago by regulation with no public debate, is a form of blackmail and a barrier to job creation, driving thousands of business corporations and charitable non-profit organizations out of business.

The business community is indicating strongly that it is sick and tired of the taxes, the fees, the regulations and the red tape your government is using to strangle competitiveness and kill jobs.

Minister, you force companies in Ontario to deal with countless government departments or agencies. You tie

them up with thousands of regulations. You blackmail them with costly annual fees. You force employers to waste valuable time every year completing your forms and complying with your regulations.

On page 14 of this document, the Common Sense Revolution, Mike Harris recommends removing barriers to job creation and economic growth. The Common Sense approach involves appointing "an arm's-length commission on red tape to review all regulations affecting business. Any regulation which can't be justified will be eliminated within 12 months of a Harris government taking office."

Minister, join the revolution to ensure Ontario once again becomes an economic powerhouse full of hope, opportunity and real jobs.

## ARTS AND CULTURAL FUNDING

**Mrs Karen Haslam (Perth):** Mr Speaker, do you remember Mike Harris, the so-called Taxfighter? He has a new name now. It is the Culture Fighter.

The only revolution he will cause is to destroy our valuable cultural industries and erode our sense of cultural identity. Is this a revolution Ontarians want?

The Culture Fighter wants to privatize TVO. The Culture Fighter says he is a believer in free trade and in getting what he calls the "best deal" for his advertisements. So much for culture being protected under free trade.

This government has worked consistently even in these difficult times to ensure that Ontario's growing cultural industries sector remains strong. We have made investments in arts institutions. The Ontario Publishing Centre was established by this government to help preserve our cultural identity and to increase the economic viability and growth of Ontario's important magazine publishing industry. This government established a minister's advisory committee on cultural industries. Together, industry, government and labour are working to develop a strategy to position cultural industries as a key player in Ontario's economy.

Cultural industries are a dynamic sector with the potential for high growth. They comprise an \$8.6-billion industry and account for over 200,000 direct and indirect jobs.

Investing in cultural industries means investing in economic renewal and in jobs for Ontarians, a priority of this government. It also means investing in preserving our cultural identity. This government understands the vital importance of expressing who we as Ontarians, and Canadians, are.

I truly shudder to think of the consequences for Ontarians should the Culture Fighter—or should I say the Culture Destroyer?—ever be allowed to impose his

party's damaging views and policies—

**The Speaker (Hon David Warner):** The member's time has expired.

#### HEALTH CARE

**Mr Steven Offer (Mississauga North):** It's time today to look at the Tory record on user fees in health care. Where does the Progressive Conservative Party stand on this issue?

For years it has been difficult for Ontarians to figure this out, as the Tory position seems to change with the wind. But all of a sudden the party has decided that there will be no user fees under its new program. Instead, there will be something called a health care levy.

For those Ontarians lucky enough to earn more than \$50,000 per year, the Tories are asking for a mere \$100 to help support the health care system. If you earn more than \$150,000 a year, and we think many Tory supporters do, that contribution amounts to \$3,000. So the Tories won't ask you to pay \$5 when you visit the emergency ward; they'll just ask you to pay your fair share once a year so that you can receive health care when you might need it.

Isn't this a user fee? Isn't it a user fee when you have to pay for a service such as health care? Do the Tories not understand that asking Ontarians to pay for their health care is just that: asking them to pay a user fee?

We encourage Ontarians not to worry about this proposal. After all, there is still lots of time before the next election, lots of time for the Tories to once more change their position.

1340

#### CLOSING OF CAMPGROUNDS

**Mr Chris Hodgson (Victoria-Haliburton):** I rise today to express great concern over the process which led to the decision to keep eight provincial parks closed this year.

The announcement was made on May 3, only 17 days before provincial parks officially open for the summer tourist season. Without any warning, businesses and communities that make their living from tourism were told that the expected influx of people and money was not coming.

In order to save \$275,000, this government is willing to forgo nearly \$7 million in spinoff revenues to local economies. To take such an action without consultation with the people who would be directly affected is shameful; 17 days' notice for such an important change is simply not acceptable.

The people of Kenora, Geraldton, Barry's Bay, Campbellford, Dryden, Collingwood and Port Dover deserve better than this. They should have been given notice of such a decision so they could prepare themselves for the terrible loss to their livelihood.

Municipalities or even private interests should have been given the opportunity to run these parks, either on their own or in conjunction with the Ministry of Natural Resources.

Why was this option not even considered? Governments should work for the people, not against them. Cuts

to ministry budgets can and should be implemented using common sense.

#### GREEN COMMUNITIES

**Mr Bob Huget (Sarnia):** Today I would like to share with members my pleasure with last week's budget and specifically the expansion of the green communities initiative that Minister Wildman announced the details of yesterday.

The green communities initiative provides communities with advice and funding to promote energy and water conservation as well as waste reduction.

As some of you may know, my community of Sarnia was one of the pilot projects under this program. I have seen the success in my community and I'm proud of the results. To date, the seven green communities—Atikokan, Cornwall, Elora, Guelph, Peterborough, Port Hope, and of course Sarnia—have proven to be a success.

These communities can be proud of the facts: Water consumption is down 25%, energy consumption is down 15% and waste generation is down 15%.

The new funding of \$41.8 million over the next three years for home green-ups and green industrial analysis is a welcome move. The success stories from Sarnia and the other six pilot communities will attest to the value of the program.

I am encouraged by the expansion of this initiative. Its good environmental sense and the greening of homes and industry will create 11,000 jobs over the next three years.

I'd like to give my support to this program and see it continue to grow in order that we can achieve not just greener communities but a greener Ontario and help to put people back to work in the process.

#### LEADER OF THE THIRD PARTY

**Mr Steven W. Mahoney (Mississauga West):** Yesterday I informed the House of Mike Harris spending \$600,000 to hire Americans to help in his bid to regain the corridors of power here at Queen's Park.

Unfortunately, my statement seems to have angered the Progressive Conservative House leader, who wanted me to correct the record about Mike Harris and his American revolution. He told me that my statement that Mike Harris hired an American producer and director was completely inaccurate and incorrect.

I want to be completely fair, so I would like to correct the record. It turns out that Mr Harris hired only an American director and an American cameraman. You'd think that after having been caught using American talent, Mike Harris and his Progressive Conservative Party would be embarrassed and would apologize to the people and specifically to the talent of Ontario. Not so. He still continues to believe that the brightest and the best talent is only to be found in New York.

How can we believe that this man will put people back to work in Ontario when he can't even hire highly qualified Ontarians to work on his own political campaign?

Yesterday I gave Mike Harris this American flag. He sent it back to me. I'm not surprised. Today I have another present for Mr Harris. I took the liberty of



purchasing two directories: (1) Who's Who in Canadian Film and Television, a 600-page directory listing Canadian talent, and (2) the Canadian Film and Television Production Association document, with another 100 pages of Canadian talent, most of them within walking distance of Queen's Park. I would ask a page to come and take both of these documents over to the House leader, who can give them to Mr Harris.

#### OPPOSITION PARTIES

**Mr Ernie L. Eves (Parry Sound):** I rise today to give thanks to the honourable member for Mississauga West. We and the Liberal Party sometimes have our little differences. We have an agenda; they don't. We have policy ideas; they don't. We have a message to deliver; they don't. But there are times when we and the Liberals can put aside these petty partisan differences and agree on the basics.

It was in that spirit no doubt that the member for Mississauga West rose in the House yesterday and again today to promote the Mike Harris Common Sense Revolution. As a result, we have received a torrent of news coverage again, making it clear that the Common Sense Revolution is founded on four essential steps needed to restore prosperity in Ontario, to which our leader and our party are committed.

These are, unlike the Liberals: a 30% cut in personal income tax, a 20% cut in non-priority government spending, a balanced budget in four years, and the creation of 725,000 new private-sector jobs. They don't believe in any of those things.

We are particularly grateful that as a direct result of the intervention of the member for Mississauga West, our television commercial featuring our leader Mike Harris was again broadcast directly into several hundred thousand Ontario homes at no expense, thanks to you. Just phone 1-800-903-MIKE for your Common Sense answers.

#### COMMUNITY HEALTH SERVICES

**Mrs Ellen MacKinnon (Lambton):** I'm pleased to stand in the House today to share with you and my colleagues the positive impact this government's budget is having on my riding of Lambton.

I was honoured recently to announce, on behalf of the Minister of Health, the funding for a community health centre to serve the north Lambton town of Forest and the first nations communities of Kettle and Stoney Point. This funding reflects the commitment this government has to improving health services to rural Ontario.

This government also has a commitment to the environment and improving services in rural Ontario for water lines and sewage projects. Recently in the county of Lambton millions of dollars were allocated for projects in Lambton, including my most recent announcement of over \$13 million to the township of Bosanquet for a water line system that will allow Bosanquet to plan for its future. It will have the services to attract industry and plan for its growth. The project will create 300 person-years of employment during its construction. Several other projects have been allocated to Plympton township, Moore township, Oil Springs, Enniskillen township,

Sombra township and the town of Petrolia.

Our government has laid out a plan for Ontario: investing in jobs, preserving services and lowering the deficit. I am pleased to see our plan is working for my riding of Lambton county.

1350

#### ORAL QUESTIONS

##### ONTARIO'S CREDIT RATING

**Mrs Lyn McLeod (Leader of the Opposition):** Mr Speaker, you would understand that in the few days following the budget we come to the House wanting to ask questions related to the budget. With the Premier and the Minister of Finance not present in the House to respond to questions about the budget, I still feel it's important that we have the opportunity to raise our questions. I will therefore place my first question to the Minister of Economic Development and Trade.

Minister, you are responsible for economic development in the province of Ontario, and as the minister responsible for industry and trade, I think you know the importance of financial stability to this province. You know how crucial that kind of stability is to attract investment and to be able to rebuild our economy. We are now five days past the budget and this province has once again been put on a credit watch. This is clearly a serious matter for investors and a serious matter for taxpayers. Investors watch those credit ratings for signs of a stable economy. Taxpayers are concerned because, at the end of the day, if we have another credit downgrade, it will cost them more money.

Minister, does your government have any estimate of how much the three previous downgrades to this province's credit rating have already cost the people who pay taxes in this province?

**Hon Frances Lankin (Minister of Economic Development and Trade):** I know that the member opposite asks the question from a genuine concern with respect to the province's credit rating, and will understand that in the message that we tried to deliver to the province and to those who watch the province's finances in this budget we have tried very carefully to pursue a course which we think brings economic stability to the province, one which still creates the opportunity for investment in job creation, one which has the deficit continuing to track down on a steady basis with a projection of a balanced operating budget over the next four years, one which continues to control expenditures in a very dramatic way compared to past expenditure increases over the decade and one that doesn't bring new tax increases.

With respect to the notice today from the Canadian Bond Rating Service on the credit watch list, it is not an unusual thing for that organization to put the province on a credit watch while it engages in discussions with the Minister of Finance and his officials with respect to their final decision on credit rating. Those meetings are taking place and we hope that we will come through that having some stability. I know the member's question is specifically with respect to what the additional costs are. Yes, of course, if there is a downgrade in the credit rating, there are additional costs in the costs of interest that are

attached to that. I'm sure that—

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.

**Hon Ms Lankin:** —Finance has the numbers she's specifically asking for—I don't have those at hand today—and can undertake to get those to you. But I think the issue that is really important for all of us is to understand that the balanced budget that we've put forward, a balanced approach of a downward deficit, of no taxation increases and of expenditure controls is really designed to bring some stability. We hope the credit rating agencies see that and that there remains some stability in their review of us as well.

**Mrs McLeod:** If the Minister of Economic Development and Trade can produce an answer to the question of how much the previous downgrades have cost the province, that would actually be a major step forward from the answers the Minister of Finance has given us in the past, so I welcome that response. In fact, as we have raised this issue with the Minister of Finance formerly, the question of how much the credit downgrades have actually cost this province and cost the taxpayers of this province, he has consistently refused to give us an answer.

We know that the Ministry of Finance officials have an estimate of how much it has cost. They have told us that they have a method for calculating what it costs taxpayers when you get a credit rating downgrade. Their estimate is that every time the credit rating gets one downgrade, and we've already had three, borrowing costs go up one quarter of 1%. I confess that on its own that may not sound like a lot, but this government has already had three downgrades. You have borrowed about \$37 billion over the last three years, and that would put the cost to the taxpayers of this government's financial mismanagement in the neighbourhood of at least \$150 million, just for the cost of the downgrades.

Has the Minister of Finance ever briefed even the most senior members of cabinet on the costs of having the credit rating downgraded, and would he confirm, do you suppose, if he were here, that the impact of these three downgrades that this government has already experienced has cost taxpayers at least \$150 million?

**Hon Ms Lankin:** We have had endless discussions in cabinet and in caucus about the cost of borrowing and about the need to bring the deficit under control and to have the province's deficit move on a downward track. That's why you see the budget the way in which it was presented by the Minister of Finance, which accomplishes exactly that.

I agree with the member opposite when she says that a downgrade would cost an increase in the cost of interest on any borrowed money, on any outstanding debt, but to simply equate that into an amount and say that this is what the taxpayers have paid in addition absolutely refuses to look at the other measures that we have taken with respect to bringing expenditures under control and reducing expenditures. I would put to the member opposite that during the period of time that her party was in government, we saw health care costs, for example, in a budget of about \$16 billion then, increase at 11% to

12% per year through the whole time that her government was in office. We have been able, through major reforms in the health care sector, to bring that increase down to less than 1%. Those are the kinds of offsets that we have had to deal with in order to deal with the increased cost of borrowing.

I share the member's concern. I think it's very important to bring economic stability to this province, to bring that deficit under control, which we have done.

**The Speaker:** Would the minister conclude her response, please.

**Hon Ms Lankin:** We took dramatic steps last year to be able to accomplish that, and the results of that are in this budget and in the projection in the years to come.

**Mrs McLeod:** We agree that the bottom line is that credit downgrades cost the taxpayers money and they most certainly keep investment from coming into this province. We are concerned. We are concerned that once again we are on a credit watch; once again we face the possibility of more downgrades.

The downgrades that this province has experienced are just more evidence that no one believes this government's numbers any more in spite of the lengthy answer that the minister has just given me. It is no wonder that nobody believes the government's numbers, because this government has reported \$30 billion in deficits but it is actually borrowing \$37 billion. The credit rating agencies are not fooled by those kinds of games. Certainly the Provincial Auditor isn't fooled by those kinds of games. As Minister of Economic Development and Trade, you surely should know how important the credit rating is and how important, above all, the credibility of the government is. A downgrade is a sign of financial instability. It drives investors and the jobs they bring to Ontario away from this province.

Minister, since no one is fooled by the kinds of numbers that your government uses in presenting its budget, will you urge the Minister of Finance to stop playing those numbers games and to start reporting the deficit as it really is?

**Hon Ms Lankin:** I know that the member opposite asked similar questions of the Minister of Finance yesterday and got a very direct answer. No one is trying to fool anyone, and your continued assertion of that really does a disservice to the public.

This is the budget document. Here it is, right on page 1, in fact right opposite the very first page of the document: We have the operating deficit, the capital expenditure and the total budgetary requirement, which is the borrowing requirements that the member talks about. It is there. It is reported.

With respect to the auditor's comments, the Minister of Finance has said those comments will be incorporated in the way the financial statements are produced. The financial statements come out later in the year. You will see all of that incorporated. That commitment has been made by the Minister of Finance.

The member opposite speaks as if Ontario is the only province which is dealing with credit rating agencies in its post-budget period and looking for those kinds of



stable responses or positive responses from the credit rating agency. She would suggest we are the only province that has gone through a downgrade. Look at the economies of all the Canadian provinces and our federal government. We are at a AA2 in terms of Moody's; so is Alberta, a Tory province. Let's look at a Liberal province, Quebec. They are at an A1. Every province is facing these problems.

What I have a problem with is the member opposite and her credibility on this issue of the deficit when day after day after day she and the members of her party stand here and talk to us about spending more money in health care, social services and all sorts of areas. At the same time, they say, "Don't raise taxes." At the same time they say, "Bring the deficit down."

**The Speaker:** Would the minister conclude her response, please.

**Hon Ms Lankin:** It doesn't add up, and neither does her agenda for this province.

1400

#### FIREARMS OFFENCES

**Mrs Lyn McLeod (Leader of the Opposition):** My second question is to the Attorney General. Minister, again today we're hearing about crime, and specifically we're hearing about more gun-related crimes. There has been another shooting, this one in North York. We are also hearing today from the federal Justice minister, and the federal Justice minister is urging provinces to prosecute gun-related crime with vigour.

Clearly, on this issue we are talking about provincial jurisdiction. It is up to you as Attorney General to give instructions to Ontario's crown prosecutors on how they approach their recommendations on sentencing for crimes involving guns.

The most recent statistics show that more than 80% of criminals convicted of using guns during their crimes receive the minimum sentence of one year for the gun offence. Minister, do you believe the public is being adequately protected when 80% of criminals using guns receive the minimum sentence? If not, what action will you take to ensure that Ontario crown attorneys are prosecuting with vigour on gun-related crimes?

**Hon Marion Boyd (Attorney General):** I'm very pleased to have an opportunity to answer the member today, because indeed we have, within the last couple of months, sent to all crown attorneys a new crown policy manual, included in which is the policy around firearms offences.

It is very clear from that crown directive that we expect the prosecution to be very vigorous, that we expect the crown to be looking at the possible sentencing requests based on the kinds of crimes that are involved in the particular charges, and within the sentencing parameters that are set—and everyone in this place is well aware that judges make sentences based on recommendations—we expect the prosecution to be vigorous and the request for sentences to be vigorous.

I would say very clearly that our crowns are well aware of the concern of the public. They also are concerned. They deal with these matters every day and they

feel very strongly about the protection of society. I have every confidence that those policy directives are being obeyed.

**Mrs McLeod:** We were able to obtain, with a certain amount of reluctance, a copy of the manual that you issued to crown attorneys the past January, and it tells prosecutors to point out that the use of a firearm to commit a crime is an "aggravating factor." Your manual does not provide any instruction on how prosecutors should approach sentencing, and nowhere in the document does it advise prosecutors to aggressively pursue harsher sentences.

It is obvious that we can't control the sentences that judges hand out, and I certainly believe that judges have to remain free from political intervention. But you do have some control over the kinds of sentences the crown seeks, and obviously criminals are more likely to get lighter sentences if the crown does not even ask for stiffer sentences.

Minister, I think you would surely agree that there are certain instances of gun-related crime—armed robbery, house invasion, sexual assault—that have to be treated more seriously. Using a gun in these kinds of crimes is surely more than an "aggravating factor," as your manual describes it.

Will you issue explicit instructions to crown prosecutors specifically listing those gun-related crimes that you believe to be serious and directing the crown to seek harsher sentences when a gun is used during these crimes?

**Hon Mrs Boyd:** Well, the member recognizes that judges need to be independent and need to make their sentences based on the facts that are presented before them. Similarly, crown prosecutors are the ones who are experienced in knowing what the factors are surrounding particular crimes. They know about the number of particular charges that may be laid; they understand about the principle of totality in sentencing; they are experienced in knowing what kinds of factors go into that.

We certainly have given very, very strong direction to crowns that this government intends to put the resources of the justice system into the area of violent crime. More minor property-related offences are dealt with more effectively at the early end of the system so that those resources are there for the vigorous prosecution of violent crime, particularly violent personal crime.

I would say that the crowns are well aware of the seriousness of any weapon—not just guns but any weapon—used in the commission of an offence, but the member has to be aware that an "aggravating factor" has an important legal connotation. It means that the crime that has been committed is the one that is serious, that has the highest penalty within the sentencing structure, and that the aggravating factor of the use of a weapon is—

**The Speaker (Hon David Warner):** Would the minister conclude her response, please.

**Hon Mrs Boyd:** —an additive to that. Our crowns do use that as an aggravating factor and they do argue for harsh sentences.

**Mrs McLeod:** Surely, Minister, the use of a gun in serious crimes is more than just an "aggravating factor," and your own manual should recognize that. This is an issue of enormous concern to people in this province, and their concern is that you are prepared to see their safety and their protection as paramount.

The courts and the crown prosecutors simply have to respond to that public concern, and the public is getting more and more concerned about the increase in violent crime in our society. Violent crime increased more than 65% between 1981 and 1991, and I am afraid that the public is losing faith in the justice system's ability to stop that increase in violent crime. That's why they need to know that you are prepared to take action to deal with those very real and very serious concerns about crimes that involve guns.

You believed that you had to do something, that it was in your jurisdiction to do something when you issued that manual in January, but it seems to me that simply reminding the prosecutors that guns are bad does nothing to restore faith in this justice system.

**The Speaker:** Would the leader place her question, please.

**Mrs McLeod:** I ask you again, Minister, will you revise that manual? Will you issue clear instructions to your prosecutors to seek stiffer penalties beyond the minimum for gun-related crimes, and just as importantly, will you ensure that your guidelines are publicized and circulated widely to the public so the people of this province know that you are taking action?

**Hon Mrs Boyd:** I'll answer the last question first. The multiplicity of questions may have me confused, so I'll answer the last one first.

The crown manual is a public document. It is also a very thick public document and, no, we do not intend to spend our resources circulating it to all the population of Ontario, but it is available in crown prosecutors' offices and is not a secret document.

Number two: No, I do not believe that it is the role of the Attorney General to issue blanket instructions to crown attorneys who are in courtrooms dealing with specific crimes that may be a multiplicity of crimes when they have to deal within the parameters of sentencing. It is not appropriate because there is a principle of totality and there is a principle about the hierarchy of the kinds of issues that they need to deal with, which you cannot deal with in a blanket kind of thing.

We certainly make it very clear to our crowns that use of a weapon is very serious. They are well aware of the public's concern. They are well aware of their responsibility as officers of the crown to do everything they can to ensure that public safety is paramount in the work that they do, and I will not intervene in that work and assume that they are not doing that task. I have every reason to believe that they are doing that task, and I have every confidence that they have as deep a concern as the member opposite for public safety.

VISITOR

**The Speaker (Hon David Warner):** Just before continuing, I wish to invite all members to welcome to

our chamber this afternoon and seated in the Speaker's gallery, Dr Sinadinovski, a member of the Macedonian Parliament. Welcome.

#### ONTARIO'S CREDIT RATING

**Mr David Johnson (Don Mills):** In the absence of the Minister of Finance, I think I'll direct my question to the Chair of Management Board.

Minister, when the Progressive Conservative Party last governed in the province of Ontario, we enjoyed the privilege of an AAA credit rating. Unfortunately, since that time, there has been mismanagement, and I point to the fact that for the past four successive years, the borrowing in the province of Ontario has exceeded \$10 billion, largely to pay operating costs and interest on the debt. I point to the fact that the provincial debt at the end of this year will be \$90 billion. I point to the three downgrades in the credit rating of the province of Ontario.

Minister, these downgrades cost the taxpayers money. That's already been alluded to today. Today Ontario is on credit watch. There's no surprise in that. My question to you: I hope that you are able to provide the information. The downgrade we face today is the most serious, being at the AA- level. A downgrade below the AA- level is the most serious. Will you confirm that, number one, and will you confirm the fact that a downgrade will not only cost the taxpayers of the province of Ontario one quarter of 1% on interest rates but will also reduce the pool of investors?

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet):** I'd like to refer the question to the Minister of Economic Development and Trade, who is acting as Deputy Premier.

1410

**Hon Frances Lankin (Minister of Economic Development and Trade):** The member's question is much like the question from the Leader of the Opposition which I gave full answers to earlier. I confirm his assertion that any downgrade in the credit rating is something for a government to be concerned about.

Certainly it is one of the issues we looked at very seriously as we put together this budget and as we looked very seriously at the issue of continuing to reduce the deficit and the borrowing requirements of the province at the same time as being able to have a situation where we didn't raise revenues in the province. We thought that was an important balance to strike.

I think the member asked specifically, is a downgrade to a single A one that would be of concern to the province? It absolutely is. At that point there are certain lenders who would no longer lend to a provincial agency by virtue of the legislation that governs them or their corporate policies etc. So of course that would be very serious, and of course we are in the course of meeting with bond rating agencies and going over all of the numbers with them and showing them that there is a very serious plan for expenditure control and deficit reduction—

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.



**Hon Ms Lankin:** —and one that we hope will bring them to the conclusion that they should stay with Ontario with respect to the stable rating that we have at this point in time.

**Mr David Johnson:** Madam Minister, you did confirm that the pool of lenders would be lower with this particular downgrade, and I thank you for that information. The other part of the question was, would you confirm in fact that the interest rates would go up by one quarter of 1%? I hope in your answer you will address that aspect.

What the bond raters are concerned about, Minister, is that the debt is growing faster in the province of Ontario than our economic growth. They're also concerned, of course, with the \$1.6 billion that in the budget has been hidden in the crown corporations.

They're also concerned about the fiddling with the pension payments of some \$300 million, and of course they're keeping an eye on the sale of assets, which apparently we're going to lease back, assets such as snowblowers and ferries and air fleets and trucks and items such as that.

They're also worried, Madam Minister, about the fact that Ontario Hydro has a huge debt, that the Workers' Compensation Board has a huge unfunded liability, that pension plans in the province of Ontario have a huge unfunded liability, all of these factors added together, and they're telling you and your cabinet that we must get spending under control or we must reduce this deficit.

**The Speaker:** Could the member place a question, please.

**Mr David Johnson:** The question is: Minister, will you confirm that the downgrade in fact will cost the taxpayers one quarter of a percentage point, and in terms of this downgrade by itself \$25 million to \$50 million, just in terms of this one particular downgrade to the taxpayers?

**Hon Ms Lankin:** Perhaps the member wasn't here when I responded to the Leader of the Opposition and her questions earlier. I think it is common knowledge that a downgrade in credit rating costs the province more than to borrow. There are all sorts of ways in which you can try and compensate for that in the way in which you issue your bonds, the markets you sell to etc, but generally speaking, yes, there is an increase in the interest rate. You have to try to be strategic in your borrowing in order to overcome that.

The other thing is, in order to keep to your deficit projections, you would then have to look, if there was an increased cost in borrowing, at expenditure reductions in order to balance that off, or if there were any additional revenues that came to the province to balance that off.

I think one of the important things that the member mentioned was the issue of expenditures, and quite frankly I hope that the bond rating agents will see that there is a very good-news story to tell in Ontario with respect to expenditure control and expenditure reduction.

Just to talk about the interest rate for a moment, last year we would have been spending more on public debt interest, had we let the deficit go to the \$17 billion it

would have arrived at, than any other single government expenditure program. We believe that's the wrong thing. We don't want to see our money going offshore to banks and bond holders and others; we want to see it spent on services for people here in Ontario.

**The Speaker:** Could the minister conclude her response, please.

**Hon Ms Lankin:** It's so important to have this turnaround, which we have accomplished. For the second year in a row, our program expenditures are going down. That's never happened before in the history of Ontario. It is an important step that we have taken, a responsible step.

**Mr David Johnson:** Well, I guess the answer is that the minister doesn't know how much this downgrade, or indeed previous downgrades, have cost the taxpayers of the province of Ontario.

But, Minister, you raise the expenditures. You talked about the expenditures and you referred to the budget. I found the budget very interesting in that it blamed the expenditure problem on the Liberals. I must say that to a large degree we agree with you. The Liberal spending increased by 4.5% above the rate of inflation each and every year during the Liberal reign; 4.5% by the Liberal Party. In that you have a point.

Madam Minister, would you contrast that kind of expenditure with what is being recommended through the Common Sense Revolution? Through the Common Sense Revolution, we are recommending a 20% expenditure cut. We are recommending tax cuts.

*Interjections.*

**The Speaker:** Order. Would the member place his question, please.

**Mr David Johnson:** I think the people of the province of Ontario know that we have to cut expenditures in the province of Ontario. Maybe the Liberals don't know that, maybe the NDP doesn't know that, but to get the deficit under control, expenditures have to be cut.

**The Speaker:** Would the member please place a question.

**Mr David Johnson:** That's what the Common Sense Revolution says. That will create jobs, that will promote economic growth.

Madam Minister, my question to you is, have you heard the message? You are being told you must cut expenditures to maintain the credit rating, to maintain the services for the people of Ontario. We must get government costs under control. They must be cut.

**Hon Ms Lankin:** I think the point I've been making in my responses to the member is that in fact we believe it is necessary to bring expenditures under control in the province of Ontario, and we have taken very major steps in that direction.

Let me point out to the member that the taxpayers look at the records of all the parties. Let me suggest that between 1980 and 1981, that fiscal year, through to 1984-85, when the member's party was in government, the nominal increase in expenditures at that point in time was 11.5% every year. From 1985 to 1989-90, when the

Liberals were in power, it was 9.7%. From 1990 through to 1994-95, it is 2.8%.

The member may say, "Okay, wait a minute, account for inflation," and that's fair. You should. So let's take a look at the numbers: under the Tory years, average increases of 2.9%; under the Liberal years, 4.5%; under the New Democrat years, 0.9%.

We invested in greater expenditures in the early years of the recession. We have taken steps in the last two years to reduce program expenditures.

While I agree with the sentiment that it's important to get expenditures under control, I disagree with the American revolution that's being suggested over there, a massive slash-and-burn approach which would put people out of work.

**The Speaker:** Would the minister conclude her response, please.

**Hon Ms Lankin:** First calculations in the education sector are that 10,000 workers would be put out of work. Is that your idea of stimulating the economy? Is that your idea of creating jobs? Is that your idea of creating stability in communities—people who have the money to spend and the confidence to spend? There's no common sense in what I hear from that party.

#### MUNICIPAL PLANNING

**Mr Chris Stockwell (Etobicoke West):** I would like to ask a question of the Minister of Municipal Affairs. Today in the Toronto Star it was announced that not alone with just the housing development of the Toronto Island building, there is now being talked about an additional 80 units being applied for through the Ministry of Housing, through a board called the Flying Toad housing co-op.

#### *Interjection.*

**Mr Stockwell:** It does. It truly does sound like an NDP organization to me.

Having said that, as the Minister of Municipal Affairs, it will come as no surprise to you that the application is for a parcel of land adjoining Ward's Island and Centre Island, and that piece of land is not only zoned by the local municipality as parkland but it is also on a floodplain.

1420

Mr Speaker, through you to the Minister of Municipal Affairs: I know that you would know full well the hazards and dangers of (a) building on floodplain and (b) developing parkland. I'd like to know if you have had conversations with the Minister of Housing, and if so, what is your position with respect to developing, for single-family residential and multi-use residential, parkland on floodplains?

**Hon Ed Philip (Minister of Municipal Affairs):** I want to welcome the honourable member to his new responsibilities as the critic of Municipal Affairs and say that he has a high standard to live up to. The member for Don Mills always asked intelligent, well-thought-out questions until today. I always enjoyed answering the questions of the member for Don Mills.

Let me just respond then to the Toronto Star article

which the honourable member has cited. First of all, the Flying Toad non-profit housing cooperative project will compete with other non-profit housing co-ops under the current Ontario non-profit housing program. The discussions between the co-op and the Ministry of Housing have gone on for about three years now, and they'll be processed like any other application.

There is an error in the Toronto Star article which the member should be aware of; there are a number of errors, but let me just deal with the one that refers to the co-op: namely, that the co-op does not have to apply to the city of Toronto to have the area rezoned as residential. That was done under the legislation and I'm sure, since he took a personal interest in the legislation, he'd be aware of that.

**Mr Stockwell:** I'd like to thank the minister for welcoming me to my new role, but I'd like an answer also to the question. I did realize that they didn't have to apply to the city of Toronto because of Bill 61. You carte blanche took over Toronto Islands, and in fact allowed Flying Toad co-op to apply to your government, circumventing local procedures that NDP people used to believe in called the Planning Act.

The Planning Act says that if you want to rezone parkland on floodplain and try and develop it, you have to go to council and have a public hearing. When you people used to believe in that stuff, this kind of application wouldn't have got past square one, and I know they don't have to go to the city of Toronto council; that's why I'm asking you. You're protecting the people of the city of Toronto when it comes to co-op applications from Flying Toads.

So, Mr Minister, I put it to you: As Minister of Municipal Affairs, are you in favour of developing parkland on floodplain in Metropolitan Toronto? If so, this sets a new high-water mark as to where co-op housing can go, and in my opinion completely abrogates what we used to believe in, the Planning Act, sir.

**Hon Mr Philip:** There's no violation of the Planning Act whatsoever. The member doesn't know what he's talking about.

#### *Interjections.*

**The Speaker (Hon David Warner):** Order. The member for Etobicoke West has the floor.

**Mr Stockwell:** He clearly didn't understand the question, because as it went in his ear he kept hearing echoes.

Mr Minister, it's clear it contravenes the Planning Act. The Planning Act states, at least as I understand, in Metropolitan Toronto you can't build on floodplain since Hurricane Hazel. It also states, in most municipalities in Metropolitan Toronto that I've read the Planning Act for, that they will not develop parkland unless the rezoning application is taken through the city of Toronto or the city that's applicable.

I ask the minister directly: How can you not understand that it contravenes the Planning Act, for heaven's sake? It's on parkland, on floodplain. Give me any example of any site of any development that the city of Toronto has approved on floodplain in the last 25 years



and that the Ministry of Housing has approved.

I ask you directly, Mr Minister: Do you support this application to put co-op housing on parkland on floodplain on the Toronto Islands?

**Hon Mr Philip:** I'm tempted to say that flying toads are able to exist on floodplain, but I won't.

The member's shaking his head; that's the rattle we heard earlier. The co-op housing project will follow all of the normal procedures of a normal application and it will be looked at accordingly.

**Mrs Margaret Marland (Mississauga South):** It's NDP elitist housing, that's what it is.

**The Speaker:** Order, the member for Mississauga South.

#### NON-UTILITY GENERATION

**Mr Sean G. Conway (Renfrew North):** My question's to the Minister of Environment and Energy. I'd like to ask the Minister of Energy, who's responsible as well for Ontario Hydro, to indicate to the House today what his government's current policy is with respect to Ontario Hydro's purchasing electricity from independent or private power producers. I ask the question in light of recent reports that the utility has ended its moratorium and has entered a number of arrangements, including some kind of an arrangement with Suncor.

**Hon Bud Wildman (Minister of Environment and Energy):** As the member will know, Ontario Hydro has been negotiating over some time with a number of private sector companies and consortia with regard to the possibility of non-utility generation. The corporation, in light of its surplus, put a moratorium on further acceptance of applications for such proposals while confirming a number last year at either the 1992 or 1993 rates.

The matter to which he refers relates specifically to proposals by a number of companies in the Sarnia Chemical Valley and is designed to ensure that they will remain customers of the Ontario Hydro grid and ensure that they will remain and continue to be important producers of jobs and economic development in the Sarnia region.

**Mr Conway:** It's my understanding that in recent days your cabinet has executed an order in council confirming a deal, I gather, that Ontario Hydro has made with Suncor. The details of that Suncor-Ontario Hydro deal have not been made public, though it is my information that Ontario Hydro has concluded a multimillion-dollar deal with Suncor. A big part of that deal turns on Hydro's payment of millions of dollars in compensation to Suncor so that Suncor will not now proceed with a power facility of its own. Can you confirm the details of the Ontario Hydro-Suncor deal and will you make the details public?

**Hon Mr Wildman:** As I indicated in my previous response, Ontario Hydro has entered into an agreement with Suncor which yields a number of benefits. Hydro retains Suncor's load at a time of substantial surplus capacity and will not lose it as a customer, Hydro gains a flexibility to meet the future demand in the area quickly should the need arise, and a commitment is obtained from Suncor to invest in energy efficiency, thus improving

both the environment and competitiveness in the refining sector.

#### JUSTICE SYSTEM

**Mr Charles Harnick (Willowdale):** My question is to the Attorney General. One of the recommendations of the Yeo inquest was the provision that bail hearings for those accused of violent sexual crimes be heard before a judge rather than the current practice of appearing before a justice of the peace. Minister, can you tell me why your ministry has rejected this recommendation of a jury?

**Hon Marion Boyd (Attorney General):** We have a long-standing tradition in the western justice system of the place of the justices of the peace to hear bail complaints and so on. While we acknowledge and, in our response to the Yeo inquest, clearly indicate our need to ensure that justices of the peace are aware of the provisions they have to limit the actions of violent offenders, the responsibility they have to ensure public safety and so on, we do not agree that the only way to achieve the safety of the public is to switch things into courts, given the crowded nature of our courts and the really serious problems we have of dealing with issues in a timely fashion. We believe it can be dealt with by a very clear instruction and education of justices of the peace, and that is the way we have proceeded.

1430

**Mr Harnick:** Minister, bail is a very critical procedure in any criminal case. It's critical because it involves the liberty of the accused person. It's also critical because it involves the security of the community. What I want to know is whether, in your opinion, judges are better qualified to deal with bail hearings or whether justices of the peace are better qualified.

**Hon Mrs Boyd:** Under given circumstances, where full information is available before a justice of the peace, I see no reason to make any assumptions on any kind of blanket situation about who is more qualified. This is a very specific area. It is an area that requires very, very clear instruction and clarity about how the law works and so on.

We have a very long-standing tradition in our justice system that lay magistrates are the first entrance to the justice system. I would say to the member there is no reason to make an assumption based—

**Mr Harnick:** Who's better qualified?

**The Speaker (Hon David Warner):** The member for Willowdale, please come to order. Has the minister concluded her response?

**Hon Mrs Boyd:** I would just repeat what I said to the member, that there is no reason to make an assumption that qualifications involve what he assumes, and that we believe we have dealt with the issue of public safety in an appropriate way.

**The Speaker:** The Minister of Community and Social Services has a response to a question asked earlier by the honourable member for Burlington South.

#### FAMILY SUPPORT PAYMENTS

**Hon Tony Silipo (Minister of Community and Social Services):** I'm glad to provide the member with some of the information that I undertook to bring back to the

Legislature. The member asked a few weeks ago about the relationship between the situation around support payments and the number of incidents of social assistance cases.

We don't have statistical information—although I hope some of the measures we're putting in place will give us this information in future—that tells us to date the number of people who have had to apply to social assistance because of a default in support payments.

But what I am able to tell the member is that it's certainly our experience that, first of all, often the amount of support payment would not in and of itself be sufficient to keep someone off social assistance in these cases, because we are dealing often with small amounts of support. Second, I indicated to the member last time he asked this question that I was sure that the situation overall had improved vastly, and I'm able to give the member some statistics which do in fact reflect that that is the case.

In 1989-90 we had, between direct support payments collected through the ministry and those collected through the family support plan run through the Attorney General's office, 46,600 cases of support payments. By 1993-94, that amount had almost doubled, to about 88,800. That shows, particularly in the family support plan, where the greatest increase has taken place, that we have made some significant inroads in increasing the number of support payments—

**The Speaker (Hon David Warner):** Could the minister conclude his response, please.

**Hon Mr Silipo:** —and the amount of support payments in those cases and therefore reducing the weight on social assistance costs as well.

**Mr Cameron Jackson (Burlington South):** First of all, the auditor identified this as a problem in 1992 and the minister's department undertook that it would resolve this problem statistically and get proper data. The minister is standing in the House today and saying he's not done that, even though he told the auditor and the public accounts committee he would.

My second point is that he's quoted 1989-90 stats, before SCOE and support enforcement was in place in this province, and compared it to 1993 statistics. Quite frankly, the fact is that the welfare case load has tripled during that period of time.

My question still remains, to this government and to this minister, that there are large numbers of defaulting parents who are not making their payments to families and to their children, and both parties are now going to get social assistance. It is your ministry that appears in court and suggests to the court that it will allow the writing-off of these taxpayer dollars. And that, Mr Minister, is the question you cannot report to this House today with any certainty about how widely held this practice is becoming in Ontario, when evidence in our courts is quite the contrary.

**Hon Mr Silipo:** No. In fact, I can indicate quite clearly to the member what our policy and approach is in these cases. The member's quite right that we have the right, and take that right quite seriously, to intervene in

cases, and we in fact are looking at how we can strengthen our approach as a ministry in that process. But we only agree to waivers of support in instances where there are issues of violence involved. We do not agree, generally, in other issues. Of course, it is up to the judge in each particular case, on a number of factors, to decide whether there will be a waiver of partial or all of any amounts owing on the support.

But the position of the ministry is very clear, and, as I indicated to the member, we are continuing to look at ways we can strengthen our role in that process so that the objective we all want to see, which is to support women to get the fullest amount of support they are entitled to, and at the same time continue to reduce the weight on the social assistance system—they are both objectives we can do a better job of achieving.

#### NON-UTILITY GENERATION

**Mrs Lyn McLeod (Leader of the Opposition):** My question is to the Minister of Energy. Minister, we asked the question about Suncor very carefully because we did not have clear information from media reports about the deal made between Ontario Hydro and Suncor. Your answer leads to a great many further concerns.

In the two conflicting reports we were seeing in the media today, one said that Ontario Hydro, consistent with lifting the moratorium on cogeneration arrangements, had entered into a four-year option to buy power from Suncor. If Hydro exercised that option, it would build an electricity and steam generating plant. That seemed to be consistent with cogeneration production.

The other story was that Suncor had indeed abandoned plans to start construction of its own electricity and steam generating plant after striking a multimillion-dollar deal with Ontario Hydro.

Minister, your fairly cautious response to my colleague would seem to indicate that Suncor has indeed been offered a multimillion-dollar settlement to not produce electricity and to stay as a purchaser on the Hydro grid. If that in fact is the case, could you tell us today what the other implications are for other major power users?

I have just recently met with pulp and paper producers who are extremely concerned about the effect of hydro rates on their ability to keep operating, and they are certainly looking at alternatives to purchasing power from Ontario Hydro. That is true for other major power users. It is even true for municipalities. This has significant consequences—

**The Speaker (Hon David Warner):** Could the leader conclude her question, please.

**Mrs McLeod:** —for every other major power user. What is this deal, and how does it affect the purchase of power from Ontario Hydro for other major power users?

**Hon Bud Wildman (Minister of Environment and Energy):** I should clarify for the member that Ontario Hydro has entered into an agreement with Suncor to purchase an option for future delivery of power in exchange for Suncor's agreement to remain on the grid. That is to clarify—I hope it clarifies—for the member.

She may also be aware that in Sarnia a number of other companies—Dow, Nova and Polysar—formed a



joint venture for increasing generating capacity in the Sarnia area. Hydro has also opened negotiations with the joint venture and reached an agreement for the purchase of 60 megawatts of power from that consortium.

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**Mrs McLeod:** Minister, the bottom line of your clarification is that Ontario Hydro has paid Suncor in order to keep it on the Hydro grid, in order to keep it purchasing electricity from Ontario Hydro.

The question still stands: What are the implications of this kind of deal for other major power users in the province of Ontario? And tell us what the rest of the policy means. How does this fit together? On the one hand, Ontario Hydro has lifted its moratorium, supposedly the moratorium, on cogeneration, on independent power production, because Hydro had a surplus. It has now lifted its moratorium. It is making deals for cogeneration, independent power production. Does that mean there's no longer any surplus? If that's the case, why is Ontario Hydro entering into multimillion-dollar deals in order to persuade Suncor to stay as a purchaser? While you're explaining, could you tell us how all of this fits with the Power Corporation Act, a piece of legislation which directs Ontario Hydro to sell power at cost?

**Hon Mr Wildman:** It is true that because of the agreement with the consortium, the joint venture, Ontario Hydro will lose 60 megawatts of load, but the revenue loss will not be substantial and will not affect the ability of Ontario Hydro to meet its commitment to provide energy at or below inflation rates for the rest of the decade.

It is very important to recognize that Ontario Hydro has made an agreement with Suncor which will mean that Ontario Hydro has an option for future delivery of power in exchange for Suncor's remaining on the grid, and that is the situation. The fact is, and I'm sure the member would agree, that in the Sarnia Chemical Valley the operations of all these companies—Suncor, Dow, Nova and Polysar—are central to the economic stability of that region. This agreement makes it possible for Ontario Hydro to deliver power at costs that are acceptable and to continue to manage the surplus, while at the same time ensuring that those companies remain and continue to make a contribution to the economic development and recovery of this province.

#### ECONOMIC DEVELOPMENT AND TRADE

**Mr Robert W. Runciman (Leeds-Grenville):** My question is for the Minister of Economic Development and Trade. Last week members received the annual report from the ministry, with a lot of glowing words about the minister and her deputy and the officials in her ministry in respect to what they're doing about job creation.

I want to ask the minister about, not job creation, but preserving jobs that are already existing in Ontario, good-paying jobs in clean industries that are making a very significant contribution to Ontario's economy. Of course I'm talking about Bill 119, the Tobacco Control Act, which we've been told will cost Ontario in the neighbourhood of 1,100 to 1,200 jobs; some estimates go as high as 1,900 jobs. Four hundred and fifty of those are in my

riding, and close to 200 are in the riding of the member for Lanark-Renfrew.

I'm asking the minister if she and her ministry have had any input whatsoever into this legislation and the generic packaging elements and the significant job losses that will occur if indeed this measure proceeds.

**Hon Frances Lankin (Minister of Economic Development and Trade):** I'm certainly aware of the representations from the industry, the companies in particular in the member's riding, that have been made to the standing committee here and in Ottawa to the standing committee reviewing this issue with respect to generic packaging. I'm aware of their concerns about the potential impact on their industry if they're unable to adjust to the new conditions.

I would say to the member that his positioning of this as only an economic issue is one that I have a problem with, although I am most concerned about any impact on jobs and would want to work with the companies both to mitigate that impact and potentially to deal with adjustment strategies if the federal government does proceed with generic packaging.

This has very clearly been put forward as a health issue, one in which, if I look at the representations that have come from the Ontario Medical Association and others, the facts are very clear. Tobacco is the number one killer in our society, and anything we can do that prevents deaths as a result of the use of tobacco, anything we can do that preserves life, it is very important for us to work together strategically as governments to do that.

I understand, however, that from an economic point of view, if legislation for generic packaging is implemented, it would have a dramatic impact on printing industries that are currently in that business. We would have to work with those industries and those communities to deal with that impact and to have an adequate response to adjustment.

**Mr Runciman:** It's like most of the words from these ministers. They're meaningless in terms of caring about jobs. I haven't focused on the economic side of this. The government has refused to even look at the economic side of it, and the minister responsible for economic development hasn't even looked at it in her ministry. That's the response to my question.

Michael Perley of the Ontario Campaign for Action on Tobacco and Ken Kyle of the Canadian Cancer Society recently went public advocating generic packaging using multiple colours, which indeed would preserve these jobs and industries in Ontario and still accomplish what the government hopes to achieve in terms of generic packaging: different colours for different health warnings, a whole range of areas where we could use different colours.

Will the minister finally take a look at this issue, not simply from a health perspective but also the economic implications and see what she and her government can do to save these jobs in Ontario? The reality is that this amendment was brought in on the last day of the hearings. The people impacted upon by this, the communities, the families, have had no opportunity whatsoever to be

heard in respect to this legislation. Will she now carry out her responsibilities and ensure that the economic side of this equation is looked at?

**Hon Ms Lankin:** Why is it always the case with the member opposite that you answer the question, you say you've looked at the issue, you say you've been involved in the issue, and he stands up and says: "The minister says she doesn't know anything about it. The minister says she's not involved"?

**Mr Runciman:** You haven't been involved.

**The Speaker (Hon David Warner):** Order, the member for Leeds-Grenville. Will the member for Leeds-Grenville please come to order.

**Mr Runciman:** We get that hot air from her day after day. All she said was, "I'm aware of it." She didn't say she was involved, playing an active role.

**The Speaker:** Would the member for Leeds-Grenville please come to order. He asked a question. Perhaps he would allow the minister an opportunity to respond.

**Hon Ms Lankin:** The amendment to the Ontario legislation that the member speaks to is one which would provide regulation-making powers for the government so that, if at such a time the federal government introduces legislation to bring around generic packaging, it could be implemented in this province as in all other provinces.

First of all, the member attempts to suggest that this amendment in and of itself is the cause of distress to the industry in the area. That's not the case. But that's almost a moot point, because the member does raise the fact that generic packaging and a change in the printing requirements for packaging for those companies which are currently involved in the printing of tobacco packages would have an impact. I think the suggestions that are being made around the potential use of multicolour and other things are things that all governments are looking at, at the federal and provincial level. In fact, we have been involved.

I said very clearly that if this comes to pass, our interest would be in working with those industries to try and either preserve those jobs or to be involved in adjustment strategies for the future. The member opposite might not like that answer.

**Mr Runciman:** Sit down. You are wasting our time.

**The Speaker:** Order. The member for Leeds-Grenville, please come to order.

**Hon Ms Lankin:** I believe it is a responsible answer; I believe it was one which deals with the real issue of jobs.

*Interjections.*

**Mr Runciman:** Claptrap, that is all it is. We are talking about jobs.

**The Speaker:** I caution the member for Leeds-Grenville to come to order. If the member refuses to come to order, he will be named.

#### SOIL CONTAMINATION

**Mr Robert Frankford (Scarborough East):** My question is for the Minister of Environment and Energy. Minister, formerly industrial lands in the Port Union Road area of my riding of Scarborough East are being

considered for rezoning to industrial. Inspection of the lands by members of community organizations and discussions with former workers is raising new concerns about the presence of hazardous materials in the soil. How will your ministry be involved in the protection of the community if these lands are developed?

**Hon Bud Wildman (Minister of Environment and Energy):** I appreciate the interest of the member. I know this is an important matter in his constituency.

There are several industrial sites in the area the member describes; one is a Johns-Manville site which was decommissioned or cleaned up according to ministry standards in 1986-88. Also, there's a former General Electric plant, which is currently undergoing a cleanup and is nearing completion. The asbestos debris is being removed.

If development were to occur, the developer would be required to carry out air monitoring during the excavation and construction. The debris has been buried in an approved landfill site which is not slated for development. Since 1980, the ministry requires certificates of approval for landfill sites to be registered on title. If there are any proposals for development, we will act as we do with the about 20,000 requests annually from prospective purchasers and inform them of any environmental concerns prior to purchase.

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#### PETITIONS

##### KETTLE ISLAND BRIDGE

**Mr Gilles E. Morin (Carleton East):** I have a petition addressed to the Parliament of Ontario:

"Whereas the government of Ontario has representation on JACPAT, which stands for the Joint Administrative Committee on Planning and Transportation for the National Capital Region; and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island, which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of citizens in the Ottawa region, have passed motions rejecting a new bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or at any other location within the city of Ottawa core."

I will affix my signature to this petition.

#### SEXUAL ORIENTATION

**Mr Allan K. McLean (Simcoe East):** I have a petition to the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas traditional family values that recognize marriage as a union between a man and a woman are under attack by Liberal MPP Tim Murphy in his private



member's Bill 45; and

"Whereas this bill will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex;' and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas this bill was carried with the support of an NDP and Liberal majority but with no PC support in the second reading debate on June 24, 1993; and

"Whereas the NDP government has indicated it will force private sector employers to pay same-sex spousal benefits; and

"Whereas redefining marriage and forcing the private sector to pay same-sex spousal benefits will have serious negative economic and social implications;

"We, the undersigned, petition the NDP government to withdraw consideration of private sector spousal benefits for same-sex couples and refuse to pass the Liberal private member's Bill 45."

That's signed by 33 people from the Orillia and Coldwater area.

#### LAP DANCING

**Mr Pat Hayes (Essex-Kent):** I have a petition signed by people in my riding from Wheatley, Merlin, Blenheim and Tilbury. It reads:

"We, the undersigned, are opposed to the ruling of lap dancing in strip bars. We feel this violates our codes of morality or decency and we want steps taken to overturn this decision."

#### JUNIOR KINDERGARTEN

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the previous provincial Liberal government of David Peterson announced its intention in its budget of 1989 of requiring all school boards to provide junior kindergarten; and

"Whereas the provincial NDP government is continuing the Liberal policy of requiring school boards in Ontario to phase in junior kindergarten; and

"Whereas the government is downloading expensive programs like junior kindergarten on to local boards while not providing boards with the funding required to undertake these programs; and

"Whereas the Wellington County Board of Education estimates that the operating cost of junior kindergarten will be at least \$4.5 million per year; and

"Whereas mandatory junior kindergarten programs will force boards to cut other important programs or raise taxes; and

"Whereas taxes in Ontario are already far too high;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government of Ontario cancel its policy of forcing junior kindergarten on to local school boards."

I support this petition, Mr Speaker, and do you know what else? It's in our Common Sense document.

#### FIREARMS SAFETY

**Mr Kimble Sutherland (Oxford):** Since this is petitions, I won't comment on that last one.

I have a petition; we've had several of them read in the House. It was sent to me by R.G. Morgan, executive vice-president of the Ontario Federation of Anglers and Hunters. It says, "To the Legislative Assembly," and it's regarding concerns regarding the firearms acquisition certificate. They wanted people who have hunting experience and have taken the hunter course to be grandfathered, so I present that now.

#### GAMBLING

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

"Whereas there's a direct link between the higher availability of legalized gambling and the incidence of addictive gambling; and

"Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families both emotionally and economically; and

"Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

"Whereas large-scale gambling activity invariably attracts criminal activity; and

"Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario cease all moves to establish gambling casinos."

This is signed by a number of constituents from Little Current in my riding of Algoma-Manitoulin.

#### SEXUAL ORIENTATION

**Mr Robert W. Runciman (Leeds-Grenville):** "To the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a union between a man and a woman are under attack by Liberal MPP Tim Murphy and his private member's Bill 45, supported by Liberal leader Lyn McLeod;

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no Mike Harris Conservative support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently with the legislative committee on administration of justice and is being readied for quick passage in the Legislature; and

"Whereas this bill has not been fully examined for financial and societal implications;

"We, the undersigned, petition the Ontario Legislature

to stop this bill and to consider its impact on families in Ontario."

I'm affixing my signature in support.

#### TOBACCO PACKAGING

**Mr Peter North (Elgin):** I have a petition here to the Legislative Assembly of Ontario in support of plain packaging of tobacco products.

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains a provision that the government of Ontario reserves the right to regulate labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and other provinces rather than act on its own to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most effective method of protecting the Canadian public;

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

There are some 14 signatures on this particular petition from St Thomas, London and the surrounding area.

#### FIREARMS SAFETY

**Mrs Ellen MacKinnon (Lambton):** I have a petition here from the Federation of Anglers and Hunters, and it reads similar to the others that we've heard in this House before.

This has been signed by people from various parts of Ontario. I present this petition in regard to the firearms acquisition certificate.

#### MENTAL HEALTH SERVICES

**Mr Tony Ruprecht (Parkdale):** I have a petition addressed to the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the NDP government is hell-bent on establishing a 20-bed forensic facility for the criminally insane at the Queen Street Mental Health Centre; and

"Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social service organizations and hundreds of licensed and unlicensed rooming houses in all of Canada; and

"Whereas there are other parts of Ontario where the

criminally insane could be assessed and treated; and

"Whereas no one was consulted, not the local residents and business community, not leaders of community organizations, not the education and child care providers, and not even," it says here, "the NDP member of provincial Parliament for Fort York;

"We, the undersigned residents and business owners of our community, urge the NDP government of Ontario to immediately stop all plans to accommodate the criminally insane in an expanded Queen Street Mental Health Centre until a public consultation process is completed."

I will affix my signature to this petition.

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#### HAEMODIALYSIS

**Mr Jim Wilson (Simcoe West):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas several patients from the town of New Tecumseth are forced to travel great distances under treacherous road conditions to receive necessary haemodialysis treatments in Orillia or Toronto;

"Whereas the government has done nothing to discourage a patchwork dialysis treatment system whereby some patients receive haemodialysis in-home and others travel long distances for treatment;

"Whereas there are currently two dialysis machines serving only two people in New Tecumseth, and one patient is forced to pay for her own nurse;

"Whereas the government continues to insist they are studying the problem even though they've known about it for two years; and

"Whereas the Legislature passed Simcoe West MPP Jim Wilson's private member's resolution which called for the establishment of dialysis satellites in New Tecumseth and Collingwood;

"We demand the government establish a dialysis satellite immediately in the town of New Tecumseth."

I've signed that petition.

#### FIREARMS SAFETY

**Mr Daniel Waters (Muskoka-Georgian Bay):** I once again have another petition over guns and firearms acquisition certificates. This numbers over 1,000 from my riding alone and this is from, once again, my friends, neighbours and constituents, both seasonal and year-round. I'll just read the "therefores":

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I too support this petition and therefore I've affixed my name.

#### HEALTH CARE

**Mr David Ramsay (Timiskaming):** To the Legislative Assembly of Ontario:

"Whereas the NDP has always said it was against user fees in health care and other social issues; and



"Whereas the NDP promised it would never implement user fees for health care and other social issues; and

"Whereas the NDP has bowed to pressure from the Conservative Party and is now working to implement user fees in a number of areas; and

"Whereas the NDP government is now planning to implement a number of user fees by charging for various necessary drug treatments, annual checkups, psychiatric counselling and speech therapy for children and other necessary services; and

"Whereas the NDP government is trying to fool the public by saying that these are not user fees but rather copayments; and

"Whereas it has been shown that user fees do not make health services more accountable but only restrict access;

"We, the undersigned, urge the NDP government to reconsider its new policy on user fees and protect the integrity of our universal health care system by cancelling the proposed user fees on health care services."

I'll affix my signature to this petition.

#### SEXUAL ORIENTATION

**Mr W. Donald Cousens (Markham):** I have a petition to the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a union between a man and a woman are under attack by Liberal MPP Tim Murphy in his private member's Bill 45 and supported by Liberal leader Lyn McLeod; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority, but with no PC support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently with the Legislative committee on the administration of justice and is being readied for quick passage in the Legislature; and

"Whereas this bill has not been fully examined for financial and societal implications;

"We, the undersigned, petition the Ontario Legislature to stop this bill and future bills which would grant same-sex couples the right to marry and to consider its impact on families in Ontario."

These are approximately 200 signatures from Markham, Smiths Falls, Peterborough and neighbouring communities.

**Ms Christel Haeck (St Catharines-Brock):** I'm presenting a petition signed by 13 residents of the province of Ontario, and some are from my riding, the town of Niagara-on-the-Lake, relating to Bills 45 and 55.

Since we've probably heard a lot of the preamble of this on numerous occasions, I don't believe there is any merit in repeating it, but the petitioners are against Bills 45 and 55.

I have signed in compliance with our rules, but I do not support the petition.

#### FIREARMS SAFETY

**Mr Michael A. Brown (Algoma-Manitoulin):** I have

another petition with literally hundreds of names from constituents worried about FACs.

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I have affixed my signature and will send this down to the Clerk.

#### ORDERS OF THE DAY

##### 1994 ONTARIO BUDGET

Resuming the adjourned debate on the amendment to the motion that this House approves in general the budgetary policy of the government (1994).

**The Deputy Speaker (Mr Gilles E. Morin):** The member for Don Mills.

*Applause.*

**Mr David Johnson (Don Mills):** I thank all my many friends on this side of the House for that wonderful reception and I am pleased to participate in the budget debate.

The budget debate, of course, is an opportunity not only for the government, but for the opposition parties to put out a roadmap for the future of the province of Ontario, to tell the people of the province the kind of approach that the government's going to take, that the opposition parties are going to take, in terms of government spending, in terms of the services, in terms of the approach to the economy, in terms of job creation, getting people back to work, in terms of approach to the business community, economic growth etc.

It's an opportunity to speak about a vision, about the future of the province of Ontario. I think it's pretty fair to say that we do see distinctly different visions and that we do see distinctly different approaches during this particular debate.

At least the Progressive Conservative Party has set itself aside in terms of its approach to what is needed in this province of Ontario, very distinctly, from the views of the other two parties.

As I go through this debate, and perhaps as the people of the province of Ontario have watched this debate, it's not clear entirely what the distinction is between the Liberal Party and the government, between the Liberal Party and the NDP, but I'm sure most people would recognize that the Progressive Conservative Party does

have a distinctly different approach, one that I believe is required at this point in time in our history, to solve the economic problems of the province of Ontario.

The budget itself has been categorized in various circles as either a big bore or it has been categorized by the government certainly as what is needed to bring the province back to health. But as you'll see, the Progressive Conservative Party believes that the budget that was brought forward will not solve the problems of the province of Ontario, the many problems we face.

I would like to start with one misconception that is contained within the budget, one of many I suppose but one that's right up front, and that is that the people of the province of Ontario will experience no more taxes this year in 1994 than they did last year in 1993.

The government trumpets the fact that there are no new taxes, no tax increases, and the impression is out there that the people of the province of Ontario will not pay any more in taxes in 1994 than they did in 1993. It's simply not true, and I would like to show where that falls apart.

1510

Last year, in the budget, the government introduced a provincial sales tax on auto insurance, home insurance and various benefits. That sales tax was implemented partway during the year and that sales tax will this year be annualized. By "annualized," I mean that there will be an impact of one full year on the taxpayers of Ontario in paying that sales tax. The people of the province of Ontario in fact will pay, it's been estimated, somewhere over \$400 million extra in provincial sales tax this year over last year as a result of that initiative coming out of last year's budget. That is money out of people's pockets. Those are real taxes that are being paid to this government over and above and beyond what was paid in 1993.

The government, also in last year's budget, increased the provincial surtax. That surtax had two stages to it: One stage was to be implemented last year and the other stage was to be implemented this year, 1994. The second stage kicks in this year. For example, for those people with taxes in excess of \$5,500, the surtax will increase from 17% to 20%, an extra three percentage points of surtax, this year for those with provincial income tax in excess of \$5,500. For those who have provincial income tax in excess of \$8,000, the surtax increases another two percentage points, from 28% up to 30%.

Certainly the sales tax has increased this year, and also the personal income tax has increased this year. The people of the province of Ontario, just through those two taxes alone, will be paying an additional half a billion dollars, or thereabouts, in taxes to the province of Ontario this year.

I'm afraid to say that if you're a taxpayer and you've been reading the articles and you think that you will not be paying more taxes this year, I'm sorry but this government has disappointed you. In fact, you will be paying more taxes.

One other area involves the impact of the federal changes in taxation. The federal government, under the leadership of Mr Chrétien, has decided to claw back the

old age tax credit for the senior citizens so that now the elderly, who formerly received a tax exemption, will have that clawed back. Those with an income in excess of \$26,000 will have that amount clawed back. That will bring in about another \$25 million to the province of Ontario.

Of course, we all know that during the federal budget the capital gains exemption was thrown out. That will bring in an extra \$100 million to the province of Ontario, because the province of Ontario piggybacks on the federal tax.

There will be more taxes this year. There will be more taxes paid by the people of the province of Ontario, to the tune of \$600 million to \$700 million.

There's been a great deal of concern in the finance community over the past couple of weeks about the budget that has been brought out by the province of Ontario. Various economists have expressed a great deal of concern. Economists, I must say, are of the opinion that if the debt approaches 75% of the gross domestic product, then governments lose their flexibility to govern. That sort of debt, vis-à-vis that gross domestic product, creates problems in governing, and indeed if the debt approaches 100% of the gross domestic product, then the government loses complete ability to manage and economic ruin is just around the corner.

The international investment community looks at Canada as a whole. It doesn't look just simply at one particular province; it looks at Canada, it looks at the provincial governments as a whole.

Unfortunately, today in Canada when one tallies up the debt of the federal government, which is over \$500 billion, the debt here in Ontario at \$90 billion by the end of this fiscal year, and all the other debts of all the other provincial governments, the total debt figure is rapidly approaching the gross domestic product in Canada.

As a result, we in Canada compare with countries which have a similar ratio of debt to gross domestic product. Countries such as Argentina and Uganda, for example, actually have better ratios than Canada, according to fairly recent statistics. Other countries that would be in the same vicinity as Canada with regard to their debt-to-gross-domestic-product ratio would be countries such as Ghana, Bulgaria and Algeria. Those are the kinds of countries that we are comparing with. When we bring in the debt that this provincial government has brought in over the last four years, bringing our debt to \$90 billion, that is the sort of financial league we find ourselves in: the same league as countries such as Uganda, Ghana and Bulgaria.

I might say that the real concern here is that with a lot of Canadian debt now being placed in international markets—the debt is not being placed here in Canada; it's being placed in the United States, it's being placed overseas—these investors have no allegiance to Canada. If they sense that there is a risk, they have no difficulty in drawing out, they have no difficulty in removing their support, and they have no difficulty in demanding higher interest rates. The question of Quebec's separation could be a trigger point in terms of disaster in that regard.



Those are some of the reasons why the financial community is very concerned about the debt that this province of Ontario is bringing in.

One of the other reasons that the financial community has registered extreme concern pertains to the ability of the Minister of Finance to forecast. Let me give you an example of some of the forecasts the Minister of Finance has put forward in this House.

One year ago, the minister forecast a deficit this year of \$6.8 billion. The new forecast in the new budget that we're debating today is \$8.5 billion. So in the course of one year, the deficit forecast of the Minister of Finance has gone from \$6.8 billion to \$8.5 billion. Indeed, the borrowing this year is forecast at \$10.2 billion.

That raises the question as to, what is the deficit? What does the word "deficit" mean any more? We used to think of the word "deficit" in the province of Ontario as being a subtraction of what you spent versus what you brought in. If you spend \$50 billion and the revenues are \$40 billion, then the deficit is simply \$10 billion. Well, there's a new way of accounting in the province of Ontario and it's no longer that simple. The deficit is now forecast at \$8.5 billion, but the spending is \$10.2 billion.

One year ago, program expenditures were forecast to be \$42.6 billion this year; now they're forecast to be \$43.5 billion, an increase in the forecast of expenditures of \$1 billion in the space of a year.

**Mr Chris Stockwell (Etobicoke West):** They said it went down.

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**Mr David Johnson:** The member for Etobicoke West says, "They said it went down." Do you know what the story is there? It's a very interesting story. When they said the spending went down, the minister was comparing the actual spending for 1993 with his forecast figure for 1994-95. Indeed, last year the actual spending in the province of Ontario on programs—this does not include the interest on the debt—in the province of Ontario was \$43.9 billion. The problem is that the original budget was \$42.9 billion.

The minister spent \$1 billion more than he budgeted for on programs in 1993. He overshot his spending. Is this news? I don't think this is any news in the province of Ontario, but he overspent his spending by \$1 billion in 1993. The silver lining for the minister, though, is, because he overshot his spending, because he couldn't bring the budget in on its target, now his new budget for 1994 is actually just a little bit less than what he actually spent.

In reality, the comparison should be budget to budget, and the budget last year was lower than the budget this year for program spending, so by any fair comparison the spending, even on programs, is up. It is up by about 1.5% year over year, yet the minister in the budget speech has indicated his pride in reducing the program expenditures; total expenditures, I might say, which include the interest on the debt.

I only wish that in my budget, if I have a mortgage on my house, I could take the cost of that mortgage out of my own personal budget and say that the rest of my

expenditures were down for the year. That's essentially what the minister is doing with his budget. He's ignoring the debt interest payments in his budget and he's saying the rest of his expenditures are down. But they're not down, to start with; they are over the budget of last year. Secondly, you can't remove the interest payments on the debt from your budget. Those are real numbers; they have to be paid. People who have lent the money expect to be paid.

The real expenditure in the province of Ontario is forecast at \$51.5 billion this year. Last year at this time his forecast was \$1 billion less, so you see, all of the forecasting has been erroneous. The minister has missed his forecasts. This is another reason why the financial community is very concerned with not only this particular budget but with the financial state of affairs of the province of Ontario.

This is not a recent phenomenon, I might say. The whole term of this minister has been riddled with problems in forecasting the deficit. Two years ago, the forecast for last year's budget was an \$8.1-billion deficit. The actual deficit came in at \$9.4 billion and, again, the actual financing, the amount by which the debt was increased, is \$11.6 billion, so the forecast was out by a considerable amount for 1993.

The forecast for 1992—and this is perhaps the year of most concern on record in Ontario—the original deficit forecast was \$8.9 billion, the actual deficit was \$12.4 billion and the borrowing was over \$15 billion; over \$15 billion in borrowing in the province of Ontario for the 1992 year.

One of the irritating little phrases in the Ontario budget, and there are many phrases that are more political in nature—and I have to say I find the budget somewhat unprofessional in that regard. There are many phrases that are more political in nature than they are professional in dealing with the budget situation in the province of Ontario.

One of the phrases is, "cutting the deficit by more than 30%." The Minister of Finance would have us believe that this government has made a great achievement in that the deficit has been cut by 30%. When you look at the words, he's specifically referring to the years 1992 to 1994.

In 1992 he claims the deficit was \$12.4 billion and in 1994 he's claiming a deficit of \$8.5 billion. I guess if you work that out, that's about a 30% decrease, but in actual fact, as I've already noted, the borrowing during those two years was a difference between \$15.5 billion in 1992 and the current estimate, which is over \$10 billion of borrowing in this fiscal year.

I don't think it is any reason to take credit for a 30% reduction in the deficit when the deficit in the spending, or at least the spending in particular, is in excess of \$10 billion, unprecedented in the history of the province of Ontario. In fact, we've had four successive years where the borrowing in the province of Ontario has exceeded \$10 billion. I don't think that is any reason for joy in the budget. I don't think that's any reason to say in the budget, "What a great achievement we have accomplished in the province of Ontario."

The minister's comment, when that is put to him, is that his forecasting has not been spot on. That's a mild understatement when the accuracy of the forecasting has been so dreadful. It certainly has not been spot on.

Another one of the irritating phrases that is contained in the Ontario budget says that we are "managing our budget without raising taxes." It's a phrase contained in the budget. We are "managing our budget without raising taxes." Firstly, there will more tax revenue coming in from the people of Ontario, and I've already outlined how these tax revenues are coming in: more in personal sales tax, home insurance, auto insurance. The surtax is increased this year. Through the federal tax changes, there'll be more tax revenue. People of the province of Ontario will be paying more taxes in 1994. Firstly, the phrase is incorrect.

Secondly, the phrase uses the words "managing our budget." Let's look at the management of the budget of the province of Ontario. Let's look at a \$90-billion debt at the end of this fiscal year, a \$90-billion debt that has grown from less than \$50 billion when this government took office. In the space of four short years, the debt has grown from under \$50 billion to \$90 billion. Is that good management? I think not.

Let's look at the percentage of revenue that goes simply to pay the interest on that debt. In 1990, when this government took office, 8.8 cents out of every dollar that we paid in provincial taxes went to pay the interest on the debt. Every citizen in Ontario, of the taxes that they paid, 8.8 cents went to pay for the interest, just the interest, on the debt. That was in 1990. If that seems bad enough, today, just four years later, almost 18 cents, 17.6 cents to be exact, goes simply to pay the interest on the debt. Is that good management? I think not.

In 1990, in Ontario, we had a population of 10.5 million people. The debt for each man, woman and child in the province of Ontario was just over \$4,000. Again, that is a very frightening statistic, one that causes a great deal of concern, but today the forecast that the minister has outlined in his budget indicates that the debt for every man, woman and child in Ontario, where we will have a population of just over 11 million in 1994, has grown from just over \$4,000 to over \$8,000 that each one of us owes. In a sense, this is a debt on each one of us as a resident of the province of Ontario. That's the debt of the province of Ontario, over \$8,000 for each one.

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Now you may say inflation accounts for some of that and that it's perhaps not just fair to look at the mismanagement of the deficit and the debt because when you take into account inflationary statistics, then the picture changes. Well, let's look at the income of the people of the province of Ontario. How have incomes changed during that same period of time?

Indeed, in 1990, if you were to take a simple division of the number of people by the incomes in the province of Ontario, you would find that the average income per capita was \$22,833, to be exact. In 1994 that figure is \$23,579, an increase of only 3%. So while the debt has almost doubled in the province of Ontario, while the amount of money that we all have to pay just to pay

down the interest on the debt has doubled in the province of Ontario, incomes in the province of Ontario have only gone up by 3%. Government spending during that same period of time has gone up by over 20% during those four years. Incomes have gone up 3%, government spending has gone up by more than 20% during those four years. Now, I ask you, is that managing our budget well? Obviously not.

The government has indicated that it's cutting the overhead by 16% in this budget. This budget claims to cut the overhead. It doesn't define terribly well what overhead is but it cuts the overhead. The references made are to greater use of teleconferences, less travelling and that sort of thing, but when you consider that the reality is that the increase in the spending has been 20% over the four years of this government, that is the bottom line.

The government claims to be "putting our own house in order," another one of those irritating little phrases that is contained in the budget: "putting our own house in order." How do they put their own house in order? They replace courier systems with electronic mail. This is how they do it, replace courier services with electronic mail and fax machines.

I don't know how many fax machines we may have now in the province of Ontario. Perhaps that's why spending has gone up by 20% and why the debt is at \$90 billion; I'm not sure. But here we have this one little efficiency. They claim to be eliminating one million pieces of paper. One wonders who's running around counting all these pieces of paper to make sure that they're eliminating one million pieces of paper.

They claim that the number of ministries has been reduced from 28 down to 20, thereby saving some money. Of course, that's old news; that happened about a year ago. But the interesting aspect to that is that when you look at the number of parliamentary assistants now, we have 32 parliamentary assistants. So, yes, I suppose a year ago at some point they did reduce the number of ministries a little bit, but we have many more parliamentary assistants.

These are the things that we are being distracted with in this budget, but the net reality is a debt of \$90 billion. That's the real bottom line, a debt of \$90 billion in the province of Ontario that has to be paid off by the people of this province.

We talk about job creation in this budget, and the government indicates that 350,000 jobs are being created. This is attributed to the courageous and confident leadership of Premier Bob Rae. Through his courageous and confident leadership, 350,000 jobs are going to be created in three years.

Yet when I compare 1990, over 4.9 million people in the province of Ontario were employed. How many are employed today as we speak? Today, 4.8 million people. There are fewer people employed today, in 1994, in the province of Ontario than there were in 1990 when this government took office. This is the approach of this particular government to jobs and employment in the province of Ontario.

Now, is that the strength and the confidence of a



courageous government? I think that demonstrates the mismanagement of our economy, and this is a sad mismanagement, I want to say. The unemployment rate in the forecast for 1994 is 10.3%, and that is a sad state of affairs, the greatest tragedy perhaps in the province of Ontario: a 10.3% unemployment rate in the province of Ontario. I talk to those people and I'm sure other members of this Legislature talk to people who are unemployed, people at all levels: professional people, working people, people with no skills and people with many skills.

The reality is that the economy, under the management of this government, is in such poor shape, even though the United States, for example, our neighbour to the south, has been booming and the jobless rate is almost half the rate that we have in the province of Ontario. Yet we are not experiencing that in Ontario. Ontario is lagging. The economy of the province of Ontario is lagging other provinces in Canada. It's lagging the growth that's being experienced in the United States to the south.

It's lagging because of the financial mismanagement of the province of Ontario and because of the approach of this government to business in the province of Ontario. Motions and legislation such as Bill 40 tend to depress the incentive of business to invest in the province of Ontario and create jobs. That's what has happened and that's the tragedy of our province.

This afternoon we were talking about the bond rating agencies. One of the other tragedies that could indeed happen very shortly is that because of the sad state of affairs, the \$90-billion debt, and because the deficits continue to be enormous and the amounts of borrowing year in and year out of this province of Ontario continue to be extraordinarily high, unfortunately it's quite possible that this province could be downgraded in credit rating again. It has already been downgraded. In 1990 we had an AAA rating in the province of Ontario. It's down to an AA-. Three downgrades we've experienced; three downgrades in the last three years.

This costs the taxpayers money. The taxpayers may say, "Well, why does that bother me?" The reason is because it costs this province more to borrow money at the lower credit rates, and that money then is not available to pay for our other services. There's obviously only so much money that the taxpayer can give. The taxpayer is being asked to give too much money already. There's only so much money that the taxpayer can give, and if that money is being used to pay interest on the debt, then it's not available for health or drugs or any other services that we need in the province of Ontario. Services like education suffer if our credit rating is low and if the interest on the debt continues to climb.

It could even get worse because the factors in the budget—for example, the budget assumes a prime lending rate of 6%, but the prime lending rate is already in excess of that and the likelihood is that the prime lending rate, through the next three-year period that the budget is forecasting, will be much higher than what is forecast in that budget. That will have certainly a dampening effect on recovery, on revenues, on jobs in the province of Ontario, and undoubtedly drive the deficit up. So the

reality is that this deficit, again, is almost certainly understated.

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The conclusion is that the government is caught between sort of a philosophical rock and a financial hard place, that from a philosophical point of view this government does not want to cut budgets. Although they've indicated that they've made an attempt at it, if you look at the expenditures—and certainly the expenditures are higher this year than last year—the expenditures have not been cut to the extent that needs to happen with the financial situation that we're in at the present time. This government has a philosophical concern about doing that.

Of course, the financial hard place is that with the deficit and the borrowing requirements exceeding \$10 billion each and every year for the last four years, Ontario is going to have a problem with its credit rating. The amount of money that has to be consumed each and every year in the budget just to pay the interest is so enormous that services are being squeezed out. Education is being squeezed out, health is being squeezed out. That's the financial reality of what's happening and that will continue. It is perhaps the number one problem that the budget is facing.

I have to smile when I see that in the budget the stone of course is being cast towards the Liberals in terms of the Liberal spending in their five years in power. The budget does make a very obvious reference to the fact that Liberal spending during the five years in government increased by 4.5% above and beyond the rate of inflation. Take out the rate of inflation, and the spending for each and every year in the Liberal reign was 4.5% per year above and beyond the rate of inflation. That's true, and it's a good point for the government to mention that.

The NDP, I must say, inherited a mess. They inherited a problem. Expenditures had gone out of control when the NDP came into power in 1990. However, rather than recognizing that and trying to rein back on those expenditures, they actually tried to accelerate the expenditures to bring us out of recession. As soon as they realized that wouldn't work, it was too late and the spending had gone out of control.

It certainly brings to mind the Liberal record during the five years before, and I noted in the response yesterday from the leader of the Liberal Party that great delight was taken in terms of going back into history, going back to 1981, I guess, or 1980 or before that, going back into ancient history and trying to pick warts on the government back at that particular point in time.

It was perhaps not surprising that the leader of the Liberal Party didn't mention the tax increases that were brought in, the tax increases that laid the table for the problems that this particular government now is trying to deal with; the tax increases in 1985 and 1986, when there were six tax increases. One tax increase, for example, the corporate income tax change, generated \$205 million from the corporate community.

We may wonder why we have bankruptcies in the business community, why businesses are having difficulty

in the province of Ontario and failing and why jobs are not being created. Indeed, there's a Liberal document, which I'll get to in a few minutes, which says we should take a breather in the economy, a breather in terms of taxes. Well, it may be a little bit too late to recognize that, but one of those taxes was back here in 1985-86, a corporate income tax change that generated \$205 million.

At that particular time there were more changes: passenger and commercial vehicle registration fees increasing by 12.5%, certainly more than the rate of inflation; sin taxes were hiked; there was a markup on spirits and wines and a 12-pack of beer. Some \$64 million apparently was generated through that avenue, and on and on it goes.

Land transfer taxes were increased. An additional tax on the purchase of a property in excess of \$250,000 generated another \$30 million apparently. The personal income tax rate was increased by the Liberal government back in 1985-86 from 48% to 50%, and a 3% surtax was imposed on personal income tax in excess of \$5,000, generating \$321 million worth of taxes.

These are the kind of taxes that took place early during the Liberal regime, and then when the new leader of the Liberal Party came on stream—she wasn't the leader at that particular point, but she certainly was in the government back in, let's say, 1988-89—again we had more taxes.

Indeed, well over half of the current Liberal caucus, which is now saying in one of its brochures that perhaps it's time for a breather in terms of taxes, although they're not very specific as to what that means, now we look back on 1988 and 1989 when they were here, the vast majority of them, including the current leader, Lyn McLeod, who was here during that period of time, and what did she do then, what did they do then? The retail sales tax was increased by one percentage point to 8%, generating \$960 million worth of revenue. That's one increase they made back then.

The Ontario personal income tax was raised again, a second time. The first time was during the Liberal reign back in 1985. The second time, in 1988, the personal income tax was increased again, up to 51%, and 52% the following year, 1989: \$286 million in taxes generated. The tobacco tax was increased again. The gasoline tax was increased. These were all the tax increases during the 1988-89 year, some six tax increases. I wonder if somebody with that record of tax increases should really be criticizing this particular government and this particular budget.

The big year, though, if we're looking at the record of the official opposition—and bear in mind again that this is an opportunity for the official opposition, the Liberal Party in this case, to express its points of view. I think they have to also look at their record, what their record has been. We're not going back that many years. We're going back to 1989 and 1990, and we're looking at the record.

This is the party that says we should take a breather in terms of taxes. But what did they do just barely over four years ago, five years ago? Increase the personal income tax again. That seemed to be one of the favourites of the

Liberal Party, to increase the personal income tax. This time it was to 53%.

Gasoline and fuel taxes increased again. That seems another favourite of the Liberal government back in those years. The tire tax, the infamous tire tax, was imposed in 1989 by Lyn McLeod and many of the people who sit here today in the Liberal caucus. The tire tax: \$5 on every new tire. I will give credit to the NDP that in its previous budget it removed that tire tax. That tire tax cost the people of the province probably \$200 million, and a small fraction went into recycling. It was simply a way to generate revenue that was brought in under a Liberal government.

The Liberal government brought in the gas guzzler tax. The Liberal government brought in the commercial concentration tax. I can recall the Treasurer, Bob Nixon. Many of the Liberal caucus members today were in that particular government. Bob Nixon is not here today, of course, but it was his budget, his commercial concentration tax, and he couldn't explain it to the press. I can recall that very vividly. It was a tax focused just on the greater Toronto area; it was a tax to generate revenue. It's a tax that now, thankfully, has been eliminated. More changes were brought in to the land transfer tax in 1989 and 1990.

These are all taxes that were brought in by the Liberals: 16 tax increases in 1989, 33 tax increases during their regime. This is the same party that had the nerve to stand up here yesterday and criticize this particular government for its financial management. Here they are, only five short years ago, bringing in all of these tax increases and bringing in spending, Liberal spending, at 4.5% each and every year above the rate of inflation. Is it any wonder that we have some difficulty in our economy today?

1550

The Liberal plan has been issued. The Liberal plan is entitled the Lyn McLeod Task Force on Jobs. This plan apparently contains the vision for the Liberal Party of the future. I would like to quote a few of the phrases, because I will be getting down to the Progressive Conservative plan in a few minutes, and these plans really need to be contrasted with the budget that's been brought forward by this particular government so that the people of Ontario can tell the difference, where the different parties are headed.

The Liberal vision has five parts for success. Part 1 is—and perhaps you can judge how specific this is—"We need to chart a bold new course." That is the number one part of the plan for success of the Liberal Party: "We need to chart a bold new course." They go on to say, "We are going to have to get the commitment of all of Ontario to the benefits of embarking on this vision," whatever this vision is, "of a bold new future—one that embraces the future and gears the economy to that future." So we need to embrace the future and gear the economy to our embrace, I suppose; I don't know exactly. That is the number one plank of the Liberal policy statement. A rough translation: "Elect us and we'll think of something to do. We can't tell you right now what we're going to do, but we'll think of something."



The number two plank is "Letting the economy breathe." I've referred to this before. This is the same party that brought in 33 tax increases, that in one year alone, 1989-90, brought in 16 tax increases. But now they have come to the conclusion that we should let the economy breathe. They say, "As difficult and challenging as this will be, we can—and must—find solutions to an economy that finds itself struggling with a heavy tax load." Well, they're absolutely right. Where did that tax load come from? Largely from the five years of Liberal reign in the province. A rough translation of that section is, "We, the Liberals, recognize the damage we've done with our tax increases, but we really don't know what to do about it, so we'll let the economy breathe," whatever that means.

The third point is, "Redesigning the machinery of government." They say, "Our economy is still struggling to do business in a 90s world with government programs and structures that seem more geared to the 60s world." That may be true, but it's interesting that during the period of time they're talking about, they were in office for five of those years. If indeed we still have the structures that are geared to the 1960s, what on earth did they do during their five years in office?

**Mr Kimble Sutherland (Oxford):** Good point.

**Mr David Johnson:** Yes, it is a good point. They had five years to address those structures, and they're still back in the 1960s. I guess they're not too interested in hearing about this, but they did absolutely nothing.

The fourth point is "Making Ontario the 'home of the best workforce.' We believe we can make Ontario the home of the best workforce in the Americas." Here's where you have to listen very carefully. "This will involve a strong commitment to embracing the future economy"—

**Mr Paul Klopp (Huron):** In America.

**Mr David Johnson:** Well, that's what it says: "We believe we can make Ontario the home of the best workforce in the Americas." I guess that means North America, South America, Central America, you name it. But then they say, "This will involve a strong commitment to embracing the future economy...." Does anybody know what that means? We're going to embrace the future economy. I hate to be too critical. There's a real talent in writing one of these things. You have to write something that sounds impressive and something that—

*Interjection.*

**Mr David Johnson:** We'll get to that in a minute. There's a little more substance in the Common Sense Revolution—a whole lot more substance. You can understand what's being said. You may not like what's being said, and I suspect there will be people who will and people who won't, but at least you know what's being said.

What do I mean when I say, "This will involve a strong commitment to embracing the future economy?" I don't make any sense out of that at all. That's the Liberal policy. That's number four out of five.

Number five of the five is "Providing the tools for the future." Here's another one of these you have to read

very carefully: "For our job-creating private sector to thrive, we must ensure that the financial tools as well as the important infrastructure for growth are available."

That sounds remarkably similar to redesigning the structure they talked about earlier, but no specifics. What do they mean? What are they going to do? "We must ensure that the financial tools" are there and that "the important infrastructure for growth are available." What does that mean? They're going to spend more money, that we're going to sink deeper into debt? We're going to be more in debt than the \$90 billion?

It's very short on specifics. It has no specifics, other than that in one place, buried in here somewhere, they do say they will decrease taxes by 1% a year, I think it is. Maybe that's the breather they're talking about, I don't know. That is just a minor tinkering that will certainly not solve the kind of financial problems we're dealing with today.

However, they do have great hopes for this plan, as unspecific as it is. They say that the job creating sector "needs to have the confidence that Ontario's finances are under control and being well managed." The task force recommends a goal of "achieving a balanced budget within the first mandate." Within the first mandate, the Liberals are going to balance the budget if the people of the province of Ontario elect them into office.

How are they going to balance that budget? Well, you've heard how. They're going to chart a bold new course, they're going to let the economy breathe, they're going to redesign the machinery of government, they're going to make Ontario the home of the best workforce, and they're going to provide the tools for the future. That's how they're going to balance the budget.

Now, you tell me what that means and you tell me how you're going to balance the budget on that basis. It boggles the mind.

There are no specifics. Are they going to cut the cost of government? Do I see in the Liberal document any place where they're going to cut the expenditures of the province of Ontario? No, I don't see that.

Do you know what it boils down to? It's not said here, but it boils down to a total dependence on revenue growth, that the economy will boom beyond all expectation. If the economy booms, more money will come in, and that more money coming in from taxes will balance the horrendous spending that has taken place through the last 10 years of government. That is the total Liberal plan. I really doubt that it's going to be successful.

1600

But you can see the difficulty some parties face. It's not easy to say that expenditures must be cut, because when expenditures are cut, there's always somebody to stand up and say, "If you cut that expenditure, somebody over here may suffer, or may feel they're going to suffer." I think that's the problem the Liberals have. They can't say they're going to cut expenditures. This is just too difficult for them, because they are attempting to be all things to all people. When you try to be all things, one of the problems you have is facing up to expenditure cuts in the budget we have.

I want to shift, as time is fleeting by, to talking about the third party. I've talked about the provincial budget that's been put forward by the government, that has led us to \$90 billion of debt, that's led to lower employment rates in the province today than four years ago, that's led to four successive years of double-digit borrowing, and when I talk double-digit, I'm talking billions of dollars, more than \$10 billion a year for four successive years. This is the kind of thinking that goes into the government's budget.

This is not a remedy for the problems facing the province of Ontario. This is not a course for the future of the province of Ontario. Any success from this budget is purely out of a hope for revenue growth. And that's where the Liberal paper, the Lyn McLeod Task Force on Jobs, and the Ontario budget are remarkably similar. They rely totally on revenue growth. If the revenue doesn't grow, if the assumptions are incorrect—and the assumptions over the past few years have been woefully incorrect—the revenue will not be there, the budget will not be balanced, and our situation will worsen and the interest payments will increase.

#### *Interjection.*

**Mr David Johnson:** We're getting a little mock from the other side here, but these two documents are remarkably similar, the Liberal document and the NDP budget. They talk about fiddling around with a few modest tax changes, both of them. They talk about revenue growth. They talk about cutting some red tape, but we don't know from either document what red tape is going to be cut. Do we know what the NDP is going to cut in terms of red tape? Not really. Do we know what the Liberals are going to cut in red tape? No, they're even less specific than the NDP. So those two documents are roughly the same.

Now, we come to the third document, and this will draw a rise, I'm sure, from one or two people who are listening. The Common Sense Revolution is the Progressive Conservative approach to the financial future of the province of Ontario.

**Mr Sutherland:** No it's not, it's Mike Harris's. You haven't got your message out there. It's Mike Harris's, not the PCs'.

**Mr David Johnson:** Notwithstanding the doubt from the other side of the floor, the Common Sense Revolution contains five key points. I've already said there's another document that contains five points. I've read those five points and they're totally unspecific. You wouldn't know what on earth they meant. The Common Sense Revolution that Mike Harris and the Progressive Conservative Party is putting forward also has five points. Let me read you those five points.

These five key points are for job creation in the province of Ontario. This is a job creation program. The Common Sense Revolution is geared at generating 725,000 jobs in the province of Ontario in four years.

Point 1 of this plan is to cut provincial income taxes by 30% over three years. About half that cut would occur in the first year. A 30% cut in three years: Now, that's very specific. It would actually lower the rate, which

today is at 58% of the federal tax, to 38% of the federal tax.

For a middle-class Ontario household with an income of \$50,000, that would mean a more than \$4,000 reduction in taxes in the first three years through the Common Sense Revolution approach.

Ontario is overtaxed. The reason this point is being put forward, the reason it's necessary to reduce the taxes, is that Ontario is overtaxed. We have just about the highest tax level in North America. For example, the marginal tax rate in the province of Ontario is 53.2% today, in Quebec it's under 53%, in Alberta it's 48%.

Comparing Alberta with Ontario, there's a difference of over five percentage points in income tax. This is one of the taxes that's making our economy so uncompetitive.

We would cut this. For that family with an income of \$50,000 that I mentioned, it's \$4,000 less in taxes. Put that money back into their hands and they will spend that money on consumer goods and purchasing and they will create jobs that way. That's how you get the economy going. Put money in the hands of the taxpayers and they will spend it much more wisely than governments will spend it and create jobs.

That's the first point, to cut provincial taxes. The second point is to cut government spending. We have to cut spending to be credible. You simply can't cut taxes and expect to balance your budget down the road, and certainly one of the requirements of the Progressive Conservative Party is to balance the budget. We are going to cut government spending. The total spending will be reduced by 20% in three years.

However, there are exceptions to that. The three exceptions are health, classroom education and law enforcement. Those are the three areas.

We have discussed this program with many people across the province of Ontario, in many different forums, and we have found that the people of Ontario value and consider top priority health, law enforcement and classroom education. Those are good investments for the people of Ontario, and those are expenditures that have to be protected.

That's not to say, for example in the health area, that we shouldn't investigate fraud and eliminate fraud. Indeed, as part of this document, there's a suggestion of some \$500 million in fraud that could be eliminated through the health system, so that for sure has to be done.

But those are the three programs that need to be protected. Beyond that, we need to cut spending by 20% to achieve our objectives.

The third point is that we need to cut the government barriers to job creation, investment and economic growth. It seems to me that all three parties are saying this to some degree, but where this party differs from the other two is that the other two are very unspecific about how they would cut barriers to job growth. We come right out and say that we would eliminate Bill 40.

Bill 40 has discouraged investment in the province of Ontario. This is a labour bill and it is discouraging investment. People will say to me: "Well, the world didn't fall apart. We passed Bill 40 over a year ago and



the world is still round and it's still turning and the sun still shines every day."

But have you checked the unemployment rates? Have you checked the lack of growth in the province? Have you checked the fact that in the United States the economy is booming, and in the rest of Canada, the economy exceeds the economy in Ontario? Have you noted those numbers? Have you seen that in the province of Ontario our economy is lagging behind just about everywhere else? Maybe that is an indication that there are policies in place in Ontario that are discouraging growth, discouraging job creation. For sure it is the answer, and the second answer is that Bill 40 is one of those problems, so we'll eliminate Bill 40.

Another avenue we would pursue is payroll taxes. If you ask—and we have: The Progressive Conservative Party has had a task force meeting with small business leaders right across Ontario. They tell us time after time after time, no matter where you meet, no matter if you meet in North Bay, or meet with the Board of Trade of Metropolitan Toronto, in London, in Windsor, no matter where you meet with the business community, that payroll taxes are a tremendous disincentive to job creation and to growth.

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Payroll taxes include the workers' compensation premiums, which are the highest in Ontario of any province. Newfoundland has a rate that is somewhat equivalent to Ontario, just a little bit lower, and for every \$100 of payroll, the other provinces are almost \$1 less in terms of the premiums for workers' compensation. So certainly workers' compensation is one vast concern with the business community in the province of Ontario. A second concern there, I might add, is the tremendous unfunded liability of workers' compensation of some \$12 billion, but I'll leave that aside for the time being.

Another area is the employer health tax, that out of payroll the employers are required to pay an employer health tax. We would eliminate the employer health tax for small businesses, businesses with a payroll of under \$400,000. This has been done in other jurisdictions. It is an encouragement for job creation. If there's one thing I will note in this budget that the NDP have brought forward, they have recognized that very fact. The government has suggested that for new jobs, the employer health tax not be applied. So they have recognized the fact that payroll taxes are killing jobs. But they didn't go far enough, and we're suggesting that for all small businesses, payrolls under \$400,000, the employer health tax be eliminated.

We're also suggesting a freeze on Ontario Hydro rates for the next five years. I know for many businesses the payments to Hydro for hydro usage are a key component of their budget, and this will be a break. I hate to call it a break, because it's almost a requirement in our economy that businesses know what their hydro rates are going to be and know, hopefully, that the rates aren't going up. We think it's important that the rates not go up for Ontario Hydro. This will require that the chairman of Ontario Hydro be given leeway to make efficiencies within the Hydro system. That process has been started,

and it will need to carry on.

The workers' compensation premiums that I mentioned earlier that are very high: We've said to cut them by 5%, because Ontario is the highest at the present time.

We say encourage the private sector to provide child care for working parents. This particular government has a bias against the private sector being involved in the day care field. I can tell you that the Progressive Conservative Party has no such bias. We recognize that the private sector has supplied excellent day care in many areas of the province of Ontario, and we would encourage the private sector to be involved.

Those are some of the government barriers we would cut, and that's the third point.

The fourth point is that we have to cut the size of government. Currently, we have somewhere in the vicinity of 90,000 employees who work for the province of Ontario. The reality is that when we are incurring deficits of \$10 billion or thereabouts, or at least spending requirements of \$10 billion and more a year for four successive years, to pay the salaries of employees of the province of Ontario and to pay for the interest on the debt as well, we simply can't afford the size of government we have today.

The only hope, again, the other two parties have is that the economy will boom and that somehow the revenues will come in and we'll be able to pay all these salaries. But it hasn't happened in the past, and the financial community is saying, "You are treading on thin ice." What we have to do is reduce the size of the bureaucracy. We have to downsize government.

You know, this is not a new concept. In my earlier career, I worked in the private sector for a large firm. I won't name the firm. But that firm has gone through many downsizings to continue its existence. That firm, to make a profit, to continue to exist, had to react to its financial situation. It could not run up deficits year after year. It could not run a total debt.

It does not have taxpayers, as this government does, and this government thinks it can just go back to the taxpayers and get more and more and more money to cover the deficits and the debt. Well, it can't, number one, but certainly the private business I worked for couldn't do that, and that business had to downsize. It had to react. It had to cut costs. Over the course of the time that I've been familiar with that company, it has probably gone through four or five downsizings, perhaps averaging 2,000 people a time. The downsizings involve attrition, people who normally leave, they involve perhaps sweeteners in the pension and some simply involve layoffs. That's a fact of life, but the company has to remain competitive.

That's what we need to do in government. Why doesn't that same concept of competitiveness apply to government? Why shouldn't government only have the level of staff that it can support? Our estimations are that over the course of the next three years, we'll have to downsize by 13,000 people. They have 13,000 people who will have to be downsized.

As soon as I say that, I know in the past there have

been cries of: "More unemployment; higher unemployment rates. What are these people going to do? Are they going to go on welfare?" That's where the other parts of the program click in. By reducing taxes, we encourage economic growth. By reducing the employer health tax, by reducing workers' compensation, we encourage growth in small business as we create jobs. As a matter of fact, through this budget, we are suggesting there will be 725,000 new jobs created. If I can trade off a loss of 13,000 jobs for a gain of 725,000, that's a pretty good trade. I'll take that any day.

I see scepticism in the ranks of the NDP. I'm not surprised at that, because that's not the way you approach government.

**Mr Sutherland:** That's not the whole plan.

**Mr David Johnson:** If you were just sceptical of me, then I could tolerate that—I'll have to tolerate it anyway—but this plan has been reviewed by the chief economist of Midland Walwyn, a very respected firm. He's looked at all the assumptions here, looked at the job assumptions, looked at the creation of 725,000 jobs, looked at the cuts in taxes, the cuts in spending, and he says this plan will work. I put it to you, do I trust the chief economist for Midland Walwyn or do I trust the member opposite and his scepticism? I can tell you who I trust.

That's the fourth point, to cut the size of government. You can see already that these points are very specific when I compare them to the points in another plan which says that we need to chart a bold new course.

**Mr Stockwell:** What does that mean?

**Mr David Johnson:** Well, we don't know what course we're on now, so I guess any new course would be a bold new course, I suppose. I don't know. When I compare a statement like that with the specifics of the Common Sense Revolution, I think you can see who has got a better idea of where they're going.

**Mr Stockwell:** We do.

**Mr David Johnson:** We do. Exactly. The Progressive Conservative Party does, and I think in the final analysis the people of the province of Ontario will agree with that.

This plan is being put out as we speak. Mike Harris is going across the province of Ontario. Mike Harris is going into communities right across the province of Ontario in the next couple of weeks and is bringing this plan and is getting a tremendous reception.

**Mr Bob Huget (Sarnia):** At the taxpayers' expense.

**Mr David Johnson:** This plan is paid for by the Progressive Conservative Party, not by the taxpayers.

The fifth point is that we need to balance the budget. This plan will balance the budget in four years. The NDP plan and the Liberal plan to balance the budget is to hope for growth; pray to whatever direction we pray to and hope that the economy comes up and takes care of all the expenditures we have in the province of Ontario. That's a hope that has never worked in the past, but still they cling to it today.

The Progressive Conservative Party says it will balance the budget. It will not be easy. It will require 20% cuts

coupled with the job growth, and the budget will be balanced in four years.

We go beyond that. I don't think it's actually contained in here, but I must say that our party is committed to balanced budget requirements in the future.

**Mr Stockwell:** Legislation.

**Mr David Johnson:** Legislation to balance the budget. It's surprising how many states in the United States have balanced budget requirements or have limitations in terms of what they can spend. I didn't bring this with me, but I know that the states of California, Colorado and Idaho have restrictions on what they can spend. Mike Harris has said that this is what we need in Ontario, that we need legislation brought in to restrict the spending. Once we get the budget balanced, then there have to be restrictions.

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The government members say: "Oh, that won't work. What about this or what about that?" But municipalities live under those rules and have lived under those rules since for ever, and they work. Municipalities balance their budgets; they have to. The province of Ontario should be required to balance its budget.

Now, a member will say, "Well, we've got welfare problems in the province of Ontario." I can tell you, Metropolitan Toronto has welfare problems too.

**Mr Stockwell:** And it still balances its budget.

**Mr David Johnson:** It still balances its budget, as the member for Etobicoke West says. If Metropolitan Toronto, with a budget of—it's a smaller budget, I'll grant you, but it's \$3.5 billion to \$4 billion, which is fairly sizeable, each and every year, and a key component of that is welfare. If Metro can balance its budget, why can't the province of Ontario? And it should have the same legislation for the province of Ontario to balance its budget.

I wanted to shift to one other avenue before I run out of time. The Common Sense Revolution will only work if everybody is involved, if we are all involved. The cuts are right across the whole provincial bureaucracy, the tax reductions across our economy, but the politicians have to be involved as well. It's no good for the politicians to sit back and say to the people of Ontario: "We're cutting these expenditures, we're cutting those expenditures; they may affect you. That's the reality of life in the 1990s. We have to balance our budget." The politicians have to be involved as well.

The Common Sense Revolution is saying that to show leadership, we should reduce the number of members of provincial Parliament in the province of Ontario. We have 130 MPPs at present; we're going to reduce that to 99. We're reducing it to 99 because that's how many federal ridings there are. There are 99 federal ridings; we'll just keep the same number. We'll hope for some economies with the federal government in terms of its electoral machinery perhaps conducting the provincial elections. We want to avoid duplication. If the federal government can run a federal election in the province of Ontario, perhaps it could run the provincial election and we could make a payment. We could reduce costs by



doing that sort of thing. So we're going to reduce by 24%, from 130 down to 99; 31 MPPs will be reduced.

In addition, for years and years, as long as I've been in politics—and I was first elected in 1972, actually, in the borough of East York, as an alderman at that point in time and then served as alderman and mayor through these years—I can recall the public outrage at the pensions, particularly of federal and provincial members of Parliament. You might say the municipal pensions are nowhere near as lucrative as the provincial or federal elected representatives' pension.

We say it's time to abolish the MPPs' pensions. Again, this is a form of leadership. I'm sure it won't be too popular in this House, but frankly, the pension level of the MPPs is way too generous. It's much more generous than the private sector would ever contemplate. It's time to eliminate the MPPs' pension.

MPPs will be involved in the RRSP program, as many other people in the province of Ontario are. That's fine.

It's time to eliminate the tax-free benefits paid to politicians, and roughly one third of the salary is tax-free. I think it had something to do with the expenses, but it simply doesn't make sense. At a time when the economy is under such duress, we need to show this sort of leadership. It has to start from the top, and that's how we're going to do it. The members of provincial Parliament are going to be under the same kind of program as the government as a whole.

The welfare system will have to be reformed, and I know this is going to be one of the hot spots of the Common Sense Revolution. The welfare system and the family benefits system expenditures today, I believe, will be about \$6.8 billion, from my recollection, one of the largest budgets for the province of Ontario. Certainly the payments through the welfare system in the province of Ontario are the most generous bar none. The eligibility requirements are the most liberal. The payments far exceed the average of the rest of Canada.

It would be nice to pay people if they're under difficult circumstances and find themselves without employment. It would be nice to pay them even more money, but the reality is that we don't have that money and the reality is that by paying money that we don't have, which is what we're doing in the province of Ontario and incurring year after year of deficit and debt, we're squeezing out money available for other programs that we need.

Through the Common Sense Revolution, we're saying that the welfare payments will have to be reduced. They'll be above the national average, they'll be 10% above the national average, but that'll still be lower in many cases than today. But we will allow people to earn back the amount that's lost, those who are on welfare.

Today, primarily, if you earn money when you're on welfare, you lose dollar for dollar from welfare what you earn in income. There really isn't much incentive to go out and work when you know that whatever you get you're essentially going to have to lose on the welfare at any rate. We're suggesting that we would allow people, if their income is reduced as a result of the cuts that we're making through the Common Sense Revolution, to

go out and work and we won't take back any of that money that they earn up to the point of their former income. There's no need for them to lose any revenue, but part of it will be from the welfare system and part of it will be from going out and getting part-time work.

We are clearly stating that the seniors and disabled are not part of that program. The seniors and disabled should not be on welfare in the first place. They deserve to be protected. They deserve to be in a separate program. They deserve to have the same income as they're having today. They deserve to be protected and their income guaranteed. That's 170,000 people, seniors and disabled, on benefits in the province of Ontario today, and we would take them right out of the system.

Of course, we talk about welfare fraud and the over-payments. There are various estimates. One estimate in here is about a quarter of a billion dollars a year. That has to be tackled. We are suggesting that able people on welfare, except single mothers with very young children—we would exclude them—but other than that, if you're on welfare, you have to be involved in retraining, you have to be involved in doing some sort of work or you have to be involved in some sort of community work. That only makes sense on the welfare program. These are some of the aspects of that.

This is not just a program. Again, it has to be right across the board. It's not just a program where the MPPs are going to suffer or people on welfare are going to be encouraged to go out and get work or training, but it's a program that's going to cut subsidies to business.

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The business community has told us that the best thing we can do for the business community is to reduce taxes. Cut the taxes, cut the red tape and the business community will thrive. Way below that is the dependence of the business community on subsidies and grants from government.

Frankly, the Canadian Federation of Independent Business, for example, which represents I think some 80,000 businesses across Canada, has told us that the number one thing to do was to cut the taxes, and if the business grants and subsidies fall, then you've done business a world of good by cutting the taxes.

So we're going to cut the grants, we're going to take them at their word. We're going to cut the taxes, but we're going to cut business grants. We're going to take \$200 million out of business grants. There's some perception that this is on the backs of the poor or something like that. This program is right across all sectors of our community.

Government housing: The Provincial Auditor has said that the costs of building the non-profit housing far exceed the costs in the marketplace. He has estimated that the subsidy on one two-bedroom unit is \$1,000 a month. The taxpayers of the province of Ontario are paying \$1,000 a month in subsidy. That's a number that boggles the mind. It's hard to comprehend. You can hardly believe it's true. That's how expensive the housing is that's provided by the province of Ontario. We have to put a freeze on that, and this is contained in the Common

Sense Revolution, a saving of some \$250 million in that area.

I'm down to the last few moments, so I'll just say, here is a different vision of the province of Ontario. Here is a vision that says we need to recognize the realities of the 1990s. We need to look at the state of the province of Ontario. We need to look at the huge unemployment rate that we have, the fact that we have fewer people employed now than when this government took office. We need to say to ourselves, what can we do to correct that?

What we need to do is to set the table for the private enterprise to grow, to encourage growth. This is laid out in the Common Sense Revolution. We need to cut the taxes, we need to cut the government deficit, we need to cut government expenditures and we need to start tackling the debt, that \$90-billion debt of the province of Ontario. We need to make Ontario competitive. By doing that, the jobs will be created, the people will be put back to work and we will balance our budget.

The Common Sense Revolution is a vision of the province of Ontario, of full employment, where people who are able to work will be given the encouragement to work and will be given the opportunity to work. This is a vision of participation, a vision of generating wealth and success shared by all the people of the province of Ontario. This is the vision of the Common Sense Revolution. This differs substantially from the visions of the other two parties, which are really somewhat indistinguishable, in my view.

I have a motion. I think in the remaining time I'd better read my motion to make sure that I do get that on record. This is a motion to amend the amendment to the motion that this House approve in general the budgetary policy of the government.

I move that the amendment to the motion that this House approve in general the budgetary policy of the government be amended by deleting the words after the words "Failing to implement this realistic plan" and adding thereto the following:

"Recognizing that the 1994 budget does not radically reform the tax-borrow-and-spend policies which have been pursued in Ontario for the past decade by successive Liberal and NDP governments that have undermined both the economy and finances of the province of Ontario; and

"That the budget, in so far as it is lacking in detail, vision and courage, appears to have been written by the Liberal Party of Ontario which in office sowed the seeds of the province's current fiscal and economic crisis; and

"That the budget fails to respond to the demands of Ontarians for a revolution in the way government conducts its business and for a reduction in the size and cost of the public sector; and

"That the budget ignores the need to substantially lower the deferred tax burden in the form of multibillion-dollar deficits on the people and economy of Ontario; and

"That the budget again missed the opportunity to foster the development of a competitive entrepreneurial culture in Ontario by failing to provide meaningful and substantial tax relief to small businesses, workers and consumers,

by ignoring the need for reform of the welfare system which currently discourages initiative and promotes dependence and by refusing to eliminate regulations and laws that are strangling investment and job creation; and

"That the budget did not include any proposals to ensure that the province would be able to continue to adequately fund priority programs; and

"Finding that the budget failed to implement a range of commonsense measures including a 30% reduction in personal income tax, a small business exemption from the employer health tax, a 20% reduction in non-priority government spending, the appointment of an arm's-length commission to eliminate anti-business regulations, a reduction in the Workers' Compensation Board premiums, the repeal of job-killing labour laws, measures which would have helped balance the budget while creating some 725,000 new jobs, this House declares that it has lost confidence in this government."

That is my amendment and those are my comments on the 1994 budget.

**The Acting Speaker (Ms Margaret H. Harrington):** Further debate?

**Mr Sutherland:** I'm pleased to speak towards the budget presented by the Minister of Finance. I want to talk a little bit about what's in the budget and then I want to make some comments about the so-called Liberals' jobs plan and the alleged Common Sense Revolution that has been put forward by the Tories.

In last year's budget we set out a plan to invest in jobs, preserve services and control spending while reducing the deficit, and that plan is working. We're seeing the results.

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We created or saved, with our partners, 147,000 jobs last year. This year we'll do even more, more than 166,000 jobs. We've cut the deficit by more than 30% from two years ago, and we're on track to have a balanced operating budget in 1998. We've reduced program spending for the second year in a row while maintaining, not slashing, services. And because our plan is working, we are able in this budget to have no new taxes and no tax increases. In fact, this budget even has tax cuts.

Our plan does three things: It invests in jobs, it maintains services and it controls spending while reducing the deficit.

Let's take a look for a moment at our jobs record. Last year we created or saved thousands of jobs, many in my riding, when I think of Jobs Ontario Community Action announcements, when I think of Jobs Ontario Capital. Of course, those are jobs that would be gone if Lyn McLeod or Mike Harris had their way. They want us to get rid of Jobs Ontario Training. I heard the leader of the official opposition say, "We're going to scrap Jobs Ontario Training." I had a round table with some of the businesses in my riding who are using Jobs Ontario Training, and do you know what they told me? One business that's using it said, "We have not used a government training program in 20 years, because they don't work with us, they don't meet our needs," and they're saying, "We are very happy with the Jobs Ontario Training program,



because it is meeting our needs.”

This budget also invests a great deal of money in jobs through the more than \$3.8-billion investment in Ontario's infrastructure. That's more than we spent last year. With our partners, we will be creating a tremendous amount of jobs.

This budget also sends a clear message to employers: The time to hire is now. This budget introduces a new tax credit for small and medium-sized businesses that will reduce their costs of research and development. It sends a clear message to employers that we're going to cut red tape. Business owners will be able to register for their company name, sales tax, employer health tax and workers' compensation in one place instead of four. That again is sending a very clear message, unlike the Liberals, who say, “We're going to cut 50% of the red tape.”

If you're going to cut 50% of the red tape, you have to define what 100% of the red tape is. Some business people tell me environmental assessment is red tape, that the Ontario Municipal Board is red tape. Are the Liberals saying they're going to get rid of them? Are they going to cut that in half? If you say you're going to cut 50% of red tape, you have to define what 100% is. Of course, the Liberals are so vague in all their policy statements, they haven't identified that for people.

Besides the capital investments, besides what we've done in terms of incentives for small business with research and development, we're also making it easier for business to access capital through the changes we're making to allow loan and trust companies to provide more capital, and labour-sponsored funds, as well as co-ops. There's a tremendous investment in people, in training and work experience for many Ontarians, particularly for our youth and women. This budget funds a new program to increase jobs and training for people on social assistance. It increases the number of child care spaces to 68,000. And we can do all of this because the plan we implemented last year is working.

Of course, we would be able to do more if Ontario was receiving its fair share within this Confederation. We know Ontario is only getting 29-cent dollars on social assistance, compared to many other provinces that are getting 50%. I hear the Tories, in their Common Sense Revolution, and others say, “Well, your social assistance rates are too high.”

Let's be very clear about this. The agreement that was set up said that the federal government is to pay 50% of the dollars. If the federal government wants to renegotiate what 100% of those dollars should be, fair enough. If they didn't do that in the first place, that doesn't mean they should discriminate against Ontario and only give us 29 cents when they're giving other provinces more. When we look at that, and at the fact that we only get about half of the money that many other provinces get in terms of services for new immigrants to help them settle in the province, the fact that we get less money for training and adjustment, it clearly shows we have to rework those numbers, look at how Ontario fits into the Confederation and ensure that we get our fair share.

No one is saying we should get the exact amount of dollars back to Ontario that we put in, in terms of federal

income taxes. We understand and we recognize and we respect the right of transfer payments to other provinces, but it is very clear that we have not been getting our fair share.

I now want to turn to some of the public services and some of the public agencies. I've listened in this House for the last three years to lectures from the Liberals and from the Tories about the Workers' Compensation Board. If you look at the Liberals' jobs strategy, they say they're going to do something about premiums with the Workers' Compensation Board. The Common Sense Revolution says something about that. Of course, what they try to project is that all the problems at the Workers' Compensation Board have been created by this government.

Well, I have before me—I asked legislative research to provide me with it—what the unfunded liability of the Workers' Compensation Board has been every year since 1980. It is very revealing, because in 1980 the unfunded liability was only \$400 million, a very manageable amount. However, by 1985 it had risen to over \$5 billion. The Tories try to tell us we had 42 years of wonderful management. From 1980 to 1985, over a five-year period, the unfunded liability under a Tory government went from \$400 million to \$5 billion, and they call that good management?

We only wish the record of the Liberals had been better, but unfortunately it's not. When they came into power in 1985, they inherited a \$5-billion unfunded liability, but by the time we got to 1990, that unfunded liability is closer to \$10 billion. Of course, we hear from the Liberal members saying, “We managed that very well.”

**The Acting Speaker:** On a point of order, the member for Etobicoke West.

**Mrs Karen Haslam (Perth):** This had better be a point of order, Chris.

**Mr Stockwell:** It is a point of order, Madam Speaker. The point of order is that when he refers to the WCB deficit figures, he should do so with a quorum in this House.

**The Acting Speaker:** Would the clerk please determine if a quorum is present.

**Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Senior Clerk Assistant and Clerk of Journals:** A quorum is now present, Speaker.

**The Acting Speaker:** We will resume the debate. The member for Oxford.

**Mr Sutherland:** As I was saying, the unfunded liability of the Workers' Compensation Board in 1980 was only \$400 million; by 1985 it was over \$5 billion. As I was saying, the Tories claim wonderful management of the province for 42 years. That clearly didn't occur. Unfortunately, with the Liberals, as I said, it was \$5 billion, but by the time they were out of office it had risen to \$10 billion.

When the member for Mississauga West releases his great plan on how to reform the Workers' Compensation

Board, we're supposed to expect him and his party to have credibility in dealing with the real issues here. Their track record shows they let the unfunded liability climb out of control.

However, as we know, it is only our government that has provided real leadership in dealing with the real problems at the Workers' Compensation Board, to put it on a sound financial footing. We had to make the tough decisions, because the Tories ignored it, didn't manage it, and the Liberals ignored it and let the unfunded liability get out of control.

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Then we come to the other issue we hear a lot about: Ontario Hydro. We hear a question in question period every day from the Liberals and from the Tories about the problems at Ontario Hydro and its large \$34-billion debt. Well, where did that \$34-billion-debt come from? It didn't just appear after September 6, 1990. Of course not. It built up through those 42 wonderful years of Tory management, and then it built up through the five years of the Liberals. So again, when they say they're going to deal with Ontario Hydro, the track record of the Liberals and Tories says: "No, we don't manage it. We just let it run by itself. We don't provide the direction, we don't provide the leadership, but we sit here every day in question period and say it's" this government's fault.

We've heard criticism too about the pension plans and unfunded liabilities in the pension plans. Let's just look at the track record again. Why are those unfunded liabilities high, in those pension plans? One reason is because the Conservative government used to borrow from those pension plans. How did they borrow from them? They borrowed at reduced rates, at 2%, 3%. You can make your books look very well and balance your budget, even when you're running a deficit, if you're borrowing large sums at 2% to 3%, when that may be below what the prime rate was at the time. You can do very well, but the problem is that you get an unfunded liability.

I will give the Liberal Party credit. They did decide in 1989, particularly with the teachers' pension plan, that they weren't going to continue on that track of borrowing at a low amount, that they were going to set out a plan to help repay that. They do get some credit for that.

But for the Tories to talk about managing everything effectively for 42 years, when we look at the Workers' Compensation Board record, when we look at Ontario Hydro, when we look at the public pension plans, it simply does not wash.

Likewise, the Common Sense Revolution doesn't wash. What they're saying is reduce taxes by 30% in three years, reduce spending on non-priority items by 20%, and all of a sudden 725,000 jobs are going to be created. First of all, let me tell you, no one in Ontario believes they're going to cut income taxes by 30%. Second, no one believes they're going to achieve those figures, and I want to explain why.

During the Liberal's five years, probably the best economic growth period we've had since the Second World War—the Liberals were fortunate to be in govern-

ment at that time, when things were just booming and the money was rolling in—I believe over 700,000 jobs were created in that five-year period. The Tories want the people of Ontario to believe that after we've gone through all this restructuring, after all the job losses in the businesses that have moved away due to free trade, due to all the other changes occurring in the economy, interest rates etc, other federal economic policies, after we lost all those jobs, they really believe that in the next three years—they're saying three or four years—they're going to create more jobs, or just as many jobs as occurred in the best economic period, in the 1980s. And then the member for Don Mills has the gall to stand and say, "The NDP budget is simply relying on economic growth." Well, the Liberal plan is simply relying on economic growth.

I have today's *Globe and Mail*, an article by Martin Mittelstaedt on the Tory Common Sense Revolution. The Tories had this economist the member for Don Mills cited, Mr Mullins, who works for Midland Walwyn. But it's interesting that in here he's quoted as saying, regarding their projections about balancing the budget—

**Mr Stockwell:** On a point of order, Madam Speaker: If he's going to talk about the Common Sense Revolution and Midland Walwyn, I would expect there to be a quorum.

**The Acting Speaker:** Would the clerk please determine if a quorum is present.

**Senior Clerk Assistant and Clerk of Journals:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Senior Clerk Assistant and Clerk of Journals:** A quorum is now present, Speaker.

**The Acting Speaker:** The member for Oxford may now resume.

**Mr Sutherland:** As I was saying, the Tory Common Sense Revolution, so-called revolution, says that they're going to create 725,000 jobs, and they're going to do that through a 30% tax decrease in three years.

I believe during the Liberal period from 1985 to 1990 there were over 700,000 jobs created in that time. That was probably the best economic period since the Second World War. That occurred in spite of the Liberal government policies.

But the Tories expect that they're going to somehow be able to balance the budget by cutting these taxes 30%, and after free trade, restructuring etc, the high dollar and high interest rate policy of their federal predecessors, that somehow all of a sudden they're going to have the same amount of job creation that occurred in the last half of the 1980s. No one's going to believe that. They understand job creation is a much more difficult thing.

The member for Don Mills was saying, "Well, the NDP budget simply relies on economic growth." He says that about the Liberal policy.

I was quoting, from today's *Globe and Mail*, an article by Martin Mittelstaedt looking at their so-called Common Sense Revolution. It's quite interesting, because the economist they put this by, a Mr Mark Mullins, from the investment bank Midland Walwyn, is quoted as saying as



to how the Conservative strategy is going to work: "‘You simply have to rely on growth,’ Mr Mullins said, adding that if there is a recession, ‘then forget it.’"

So how does the Finance critic, the member for Don Mills, have the gall to stand up in here and say that this policy is going to be wonderful, that the NDP's budget simply relies on economic growth so you can't rely on that, when this policy is all based on that?

To say that you're going to create 725,000 jobs in three years in the 1990s, after everything we've gone through, when that's about the amount we created in the last half of the 1980s through the boom period, stretches everyone's credibility. This approach that the Tories are taking, which in all essence and in all fact is just a repeat of Reaganomics of the 1980s, is just very simply, if you cut taxes, then all of a sudden all these jobs are going to be created and you're going to have tremendous economic growth. Well, we know what occurred in the early 1980s under Reaganomics. They cut the taxes all right. They cut the taxes at the upper end, and what happened? The deficit rose tremendously.

**Mr Stockwell:** They didn't cut spending.

**The Acting Speaker:** The member for Etobicoke West is out of order.

**Mr Stockwell:** What did they do to spending? Did they cut spending? No.

**The Acting Speaker:** Order.

**Mr Sutherland:** I want to move on to some other aspects of this so-called Common Sense Revolution, the so-called other parts of the Common Sense Revolution. This comment about going to cut the number of MPPs from 130 to 99, the same number as federal members: You know, that may be a good suggestion. Maybe we should do that.

1700

But I want to tell you that this is a very cynical move put forward in the Common Sense Revolution, and, Speaker, you know why it is? Because the Tories can't implement that in their first mandate. They're making that part of, "This is what we're going to do in government." But of course, we're getting down below the time when the riding boundaries can be changed for the upcoming election. They couldn't do that until they're actually in power, but they'd only be able to do that for the following election.

Mike Harris is going around the province right now saying: "I'm going to reduce the number of MPPs. Aren't I wonderful?" He's not quite saying, "Oh, I can't do that till my second term because the rules don't allow it." The rules don't allow it to occur until the second term. I consider that a bit cynical.

Then comes this other part, the 20% cut in government spending on non-priority items. You see, the Tories have finally realized that health care is important. They finally realized it's important. I'll give Mike Harris credit on this one. The Tory party has finally realized that user fees simply don't work in health care. They finally have come to that conclusion. I give them credit for that.

The point is that what they're saying is that they want to cut government spending by 20%, except in their

priority areas. Health care is considered a priority. They're not going to make any evaluation as to whether it's effective or not, whether everything we're doing in our health care system is effective. They're just going to spend the same amount of money.

Classroom spending—and they don't clarify whether they mean classroom spending at all levels, also college and university—is not going to be reduced. They only say "education," maybe meaning only elementary and secondary; I'm not sure. "We're not going to reduce that spending." With all due respect, in the education system that takes up about 75% to 80% of the cost.

By the time you add in health care at \$17 billion, the education system at another \$8 billion or \$9 billion and law enforcement at over \$1 billion, you're getting up to over half the entire provincial budget.

Of course, that's also mentioned in this article by Mr Mittelstaedt, because what he is saying is that over half of the budget isn't going to be touched. If you're going to get that 20% reduction, that means that out of all the other non-priority ministries you've got to cut them far more than 20%.

Speaker—and I know you're very interested in this ministry—that means Agriculture, Food and Rural Affairs may face a cut of up to 30% to achieve that 20%.

How about Natural Resources? The new member for Victoria-Haliburton was on his feet today talking about eight parks that aren't going to allow camping. They're still going to be open, but you're not going to be able to camp overnight, and there aren't ministry staff.

Do you know what a 30% reduction in the budget for the Ministry of Natural Resources, this savings we've made on these eight parks, means? Do you know what you'd have to do to the park system to achieve those types of savings?

That's what the policy is suggesting. Until the Mike Harris so-called revolution explains that, they're the types of impacts we're going to see in Ag and Food, Natural Resources, Culture, Housing, Municipal Affairs and a whole wide range of other so-called non-priority ministries.

I now want to turn to the official opposition party, because it released and said: "We've got this great strategy to get Ontario going again. We're going to create hundreds of thousands of jobs." There's only one problem with this strategy: It's about as clear as mud. Just listen to some of the things that they're going to do.

They're going to reduce taxes by 5% over a five-year period. At least they're a little more credible on what can be done on reducing taxes. I'll give them some credit for that.

They're going to look at a payroll tax credit for companies hiring new workers. In our budget we're doing it, because we're a government of action and we're out doing it.

They want to put a lid on soaring Workers' Compensation premiums. I already articulated how the unfunded liability went from \$5 billion to \$10 billion during their five years in government. If they'd wanted to put a cap on the premiums, they could have done it by making the

significant changes and reforms that really needed to be done while they were the government.

Cutting fees like the \$50 annual corporate filing fee: Let me tell you, this new language of the Liberal Party, and we heard it again yesterday from the Leader of the Opposition—the Leader of the Opposition was the former Minister of Colleges and Universities. I was president of the student council at Western. I used to come down and lobby the minister on different issues, but I want to tell you, when she increased tuition fees she never called them a tax.

Of course this is the new language of the Liberal Party. Now that they're in opposition, tuition fees are a tax when they're increased. They weren't when she was the minister. Likewise, when fees for licences or that are increased, they're called taxes. I'm almost tempted to say that this is the new politically correct language of the Liberal Party. However, that terminology is getting so overused it's inappropriate, but it's kind of like almost an Orwellian manipulation of language here.

For the Leader of the Opposition to call tuition fee increases, when she's the former Minister of Colleges and Universities who did raise tuition fees, to say that they're taxes and she never called them that before—of course on their policy on tuition fees, I saw the Leader of the Opposition on Focus Ontario a couple of weeks ago criticizing this government for being very clear and up front that we're only going to 10% this year, 10% next year, unlike the tremendous wide-open policy of the Common Sense Revolution. But where does the Leader of the Opposition stand? A moderate tuition increase. What does "a moderate tuition increase" really mean? No one knows.

We know they favour tuition increases, but they don't want to be specific about anything. They don't want to be specific about what they're going to do with WCB. They don't want to be specific about what they want to do with tuition. "An aggressive campaign to market Ontario as a business-friendly place." Well, that's very specific. That really tells us a lot about what they want to do.

They're going to reduce government spending to shrink the deficit, they claim. They don't really say how. At least I give the Tories credit. They're very up front. They say: "We want to slash the money for Natural Resources. We don't care about natural resources. We don't care about rural Ontario and Agriculture and Food. We don't care about culture and the arts. We'll slash those budgets."

But the Liberals don't tell you. They just want to say, "We want to reduce it." They claim about balancing the budget, and then they go on about helping small and medium-sized businesses to get funding with the chartered banks. They don't say what their policy is. They just say they're going to do it. That's why I say the Liberals' jobs plan is about as clear as mud. It's vague, fuzzy, feel-good terminology. There are no specifics there.

Let me just say, as I mentioned earlier, in our budget we clearly outline how we're going to help small business get more access to capital by reforming loans and trusts, allowing them to provide more funds, labour-

sponsored venture capital funds, co-ops etc.

This is what the Leader of the Opposition and the Liberal Party are saying is "our jobs plan to get Ontario back to work." Vague, fuzzy, feel-good, nice, warm, fuzzy terminology, but where are the specifics? Speaker, as you would know, where's the beef in this? There isn't any. There isn't any substance to it and the people of Ontario clearly want to see specifics.

I understand that tough decisions are going to have to be made by any party, and let me tell you, this government has made some real tough decisions: our decisions in terms of last year with the social contract, expenditure control plan, the decisions we made at WCB. But we made those tough decisions. We've demonstrated courage.

We've shown true leadership in difficult times to make the significant changes to our public services so that they will be sustainable in a period when the government is going to have less revenue. We've done that. We've made those tough decisions, but we've also done that in a compassionate and caring way and with respect to trying to maintain those services, not just slash them.

I hear the members of the opposition every day now, they're getting pretty confident. As a matter of fact, I'd say they're almost getting arrogant, because they get up and say, "You know, when we're in power next year" and "You're going to lose" and "When we're in power, we're going to do this" and "Your days are numbered."

1710

Let me be very clear. I clearly understand the political climate out there. It is going to be tough, quite frankly, for any government to get re-elected when you have to make very tough decisions. I recognize that fact, but I want to tell you, if the people of Ontario ever sent a clear message on September 6, 1990, it's that they don't appreciate arrogance.

When I hear members of the official opposition getting up here and saying, "When we're in power next time, we're going to do this," and I see them in the back benches, the critics, saying, "Boy, I can hardly wait to be a cabinet minister again" or "for the first time," getting ready to get the cars and all the perks of office. Maybe they can go on another trip to Italy and spend \$2,500 a night in a hotel.

When I see the Tories, when I see the third party people thinking about cabinet and then I just think about—I see we have new critics' positions. I see the new member for Victoria-Haliburton is the Natural Resources critic, so I guess he's anticipating, if the Tories were to be elected, he'd be the Minister of Natural Resources. Of course, there won't be a ministry left because by the time you cut 20%—or, sorry, 20% of non-priority, which means more like 30%, 35% in Natural Resources—what's there going to be left for him to be a minister of? There isn't. So you can amalgamate ministries.

When I hear this arrogance coming across from that side, I'm only saying, don't prejudge the people of Ontario. I understand we all are going to have a tough time.



I don't have much time left. Let me just say that this is a very good budget because it invests in jobs. It's maintaining services. It's controlling spending while reducing the deficit. It provides incentive for small business people to hire and to hire now. This is the right budget for the economic recovery and it is a much different contrast to what the official opposition or the third party are presenting.

**The Acting Speaker (Mr Noble Villeneuve):** Questions or comments?

**Mr James J. Bradley (St Catharines):** I didn't think there were questions and comments allowed in a budget speech.

**Ms Sharon Murdock (Sudbury):** They are.

**Mr Bradley:** They are? Then I have a little question. Are we going to agree that there will not be? Is there an agreement?

**Mr Stockwell:** I am going to make one.

**Mr Bradley:** Are you going to make one?

**Mr Stockwell:** Yes.

**Mr Bradley:** The member is going to make one, apparently, so here we go. Anyway, I'll take my two minutes, or my 1:42, to say that I always enjoy hearing the member for Oxford speak at this time. What I find unfortunate, when there's an individual who has some excellent comments to make, is that they aren't as balanced as they might be, although I must say, in certain instances, he was conceding certain points to both the opposition parties.

One of the things I hope would not happen to such a young, enthusiastic person is that he wouldn't simply become a shill for the Premier and for the members of the cabinet. That happens, I can tell you, in any government. That's why I really look for people to express some independent point of view.

I expect he's going to be devoted to supporting the government position, but I really believe it would be nice to hear in the House—just as some of us in the opposition, you would hope, would be conciliatory—that the member would in fact not simply give the government line.

I can't believe that in his heart of hearts, when he was at the University of Western Ontario putting the case forward for removing tuition for university students altogether—I'm sure he really believed the New Democratic Party was going to abolish tuition altogether. Now he's in a position of having to defend another increase, this one 20%. I just find that unfortunate.

I think the member should get up there and be more independent, should challenge his own cabinet the way he probably does in caucus. Do so in public and he may find that is the best route into the cabinet.

**Mr Stockwell:** It becomes difficult listening to a member in the government question the motivation and the sincerity of documents produced by opposition parties when his party that he so proudly represents in this place had the nerve to campaign on An Agenda for People.

Talk about a document that was just loaded with inaccuracies and fundamental problems inherent in this

document that couldn't possibly be adopted. How do you have the nerve to stand up and criticize anyone when you were talking about no tuition fees for university students; when you were talking about 60% funding for education for all of Ontario, including Metropolitan Toronto—that cost you billions of dollars; when you were saying that you won't have any garbage dump sites in the GTA—none of them would be operating, you were going to eat the stuff; when you were talking about day care coming out of a roof with so many day care spaces; when you were talking about non-profit housing—you've never lived up to the numbers you commented on; when you were talking about balanced budgets and a minimum corporate tax at 10% that was going to raise billions of dollars?

You have the nerve to stand up and say to anybody in opposition that maybe the documents they bring forward don't have the ring of truth, that "This number isn't deadly accurate" or "That number isn't deadly accurate," when you have this saddled like a millstone around your neck? My goodness, have you no shame, to stand and lecture us on what our policies are, after you campaigned in 1990 on this manifesto that isn't worth the paper it's printed on?

You haven't lived up to government-run auto insurance. You've sold out on casino gambling. The list is endless. The backtracking is unbelievable. Your political career in this place has been spent on ice skates. You haven't stood up for one value you campaigned on. I don't want to hear you question our credibility when this sits on my desk day after day listing the absolute disgrace your government has become when it campaigned on these kinds of social democratic issues. Stop it. It doesn't make any sense.

**Mr Gilles Bisson (Cochrane South):** I really enjoyed the speech made by the member for Oxford. He described what the budget of Ontario is all about this year, which is in keeping with what the New Democratic government has been doing for the past three or four years, that is, to set a plan in place that says you need to find a way of balancing the social realities along with the economic realities.

The member for Oxford in his speech really described what the budget of Ontario was all about and tried to stick to the text in regard to letting people know what we've done, what the options were, understanding that yes, there were some difficult choices that needed to be made and that this government was prepared to make them.

I also appreciated the comments the member made in regard to the no commonsense revolution the Conservative Party has brought forward. I too sat and read that document. As a matter of fact, I went to my riding last weekend and sat with a number of business people in my riding, trade unionists, various people throughout my riding. When I sat down with all those people on the weekend, they said, "There's no common sense in this document."

I was also interested to note when I read the paper on Monday morning, a business column in either the *Globe* or the *Toronto Star* said: "My God, there's no common

sense in this document. This whole document is about nonsense."

**Mr Stockwell:** Mr Speaker, on a point of order: I would like to have a quorum in the House. I'd also like the member to name one business person he sat down with who said the Common Sense Revolution didn't make sense. In the meantime, while they're checking for a quorum, I challenge him to name one business person who said that.

**The Acting Speaker:** Could the clerk check to see if we have a quorum.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**Mr Anthony Perruzza (Downsview):** Mr Speaker, on a point of order: When the member for Etobicoke West stood up and ranted for about 35 seconds, the member for Cochrane South had a good minute on the clock, and that hasn't been reinstated. I would respectfully request that this be reinstated.

**The Acting Speaker:** Thank you. The member for Cochrane South.

**Mr Bisson:** Thank you very much, Mr Speaker. I look for some direction here. The time has gone away.

If you take a look at this morning's Star article, it is quite clear what the business community is saying. It was the same thing with the people I met with on the weekend in Iroquois Falls and Timmins. The people I talked to were very much concerned about the document the Conservative Party has come out with. They see it with a high degree of scepticism, because that's exactly what it is.

1720

**The Acting Speaker:** We can accommodate one final participant.

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I listened intently to the member for Oxford, and I don't think once did I hear him talk about this government's commitment to either children or the more vulnerable, whether they're disabled or the people on social assistance. I don't know whether the members of the government have been examining this year's budget to see what kind of priorities have been set in it.

Members of the art community, for instance, came to me on the weekend, and see just a constant downward trend to their funding; a source of employment, we all know, in our communities. Members of the social assistance recipients group came to me and said, "They're talking about our rolls going down," but in fact the budget suggests that there will be a 2% increase in social assistance in this 1994 budget year. Smoke and mirrors again.

We're projecting a smaller labour market growth this year than last, down from 1.4% to 0.9%, less than 1% growth in labour predicted in this budget. These are the figures I'm taking from the government's budget.

The people I'm most concerned about are those who

have no one to speak for them, and that's the children of this province. The Premier's Council on Health, Wellbeing and Social Justice, the subcommittee on children's services, yesterday gave a report, and the Premier came forward in a very non-enthusiastic way introducing the document.

The children's aid societies, the children's agencies, the vulnerable children of this province demand a commitment from this government, and they didn't get one in budget 1994.

I wonder where the heart, where the compassion and where the justice of the NDP government has gone. It certainly has not been present in this chamber.

**The Acting Speaker:** The honourable member for Oxford has two minutes in response.

**Mr Sutherland:** I want to thank all my colleagues who responded.

What I was trying to do was talk about what we've actually done in this budget, which I said was to provide job creation, maintain services and show a decline.

The member for Etobicoke West talked about the Agenda for People. I know we haven't done everything in the Agenda for People the way we specifically outlined it there. But I want to tell you what we have done: the minimum corporate tax is done, employment equity is done, more pay equity is done. We've increased non-profit housing. We've increased child care. We have done auto insurance reform and we have done the Environmental Bill of Rights. To me, that's a pretty impressive record, realizing we're in the most difficult economic times since the 1930s. We've done a lot of the Agenda for People.

I was talking about the facts of the budget, but I was also trying to outline some of the history of how we got to the situation we did. Because the Tories, during their 42 years in power, didn't manage Hydro, because they didn't manage the WCB, because the unfunded liability went from \$400 million to \$5 billion from 1980 to 1985, because it went from \$5 billion to \$10 billion in 1990, we created a structure that wasn't sustainable in a downturn economic time.

We have to make significant changes in health care, we have to make significant changes in education, and yes, we have to make significant changes in our social services.

This government has the plan. This government has been working hard and we have provided the leadership, in cooperation with our transfer agencies, to make the very, very tough decisions to ensure that those public services will be sustainable in the future, because they weren't managed by previous governments.

**The Acting Speaker:** Before we proceed, I want to remind all members that interjections are out of order. There will be an opportunity to question and comment. Further debate?

**Mr Bradley:** In discussing the matters found in this budget, I want to mention certain things that I think are very helpful for members of the House to recall, and to talk about what we would like to see happen in the future in our province.



The first thing I want to do is discuss a matter I raised with the Treasurer in the House just yesterday, the matter of the spending of completely taxpayers' dollars to purvey what I consider to be government propaganda.

I enjoyed the speech of the member for Oxford. He defended the government. That's his job; that's his role. He had a few independent quips in there, but that's generally his role. I hope all members of the government will get up, when they have a chance, to defend this, and they're going to be out on the hustings doing it.

What I object to—and I've objected to it for years and years, but I don't think I've seen as blatant an example of it as I saw this past week—is the government spending some, I think the figure the people in Finance gave me was, \$275,000 to put out a pamphlet in all of the newspapers of Ontario that uses quite obviously the government's slant.

The Treasurer, when I asked him the question, said, "Well, of course, you must know that there are facts in there." They're the facts according to the Treasurer, and again I respect the fact that if he goes out to speak to the Canadian Club or any organization he speaks to, he will present the facts as he sees fit, but you have here such things as: "Ontario's budget plan is working. The government's plan is working. Deficit down 30% from two years ago. Government spending under control. No new taxes. No tax increases" and so on. And you go inside and the same thing is found as the government extols its virtues.

Again, if the New Democratic Party wishes to put out a pamphlet of this kind, I think that's useful for the electorate to be able to choose whether they believe that or what the Liberal Party puts out with its money or the Conservative Party with its money. What I object to—and I hope if I'm ever, by some fortune, part of a future government, a government of which I am part will not participate in this kind of very bald government advertising, government advertising which is, in essence, propaganda, because I think there are things government should do.

When there are rabies problems, for instance, if they have to say to people, "Here are the problems. Would you watch for this?" that's information. That's good information, and sometimes, when there are regulatory changes the government is making and it simply states those regulatory changes, that's useful for the public to know. I would defend a government, even a government from which I sit across, for that kind of advertising, but this is the worst case I've seen. It's odd how many people mentioned this to me after getting this and wondering who would pay for this and why this piece of information would come out in the way that it did.

The members may think it's smart, and I guess, in its very capital-P political sense, it's smart politics, and you can sit there with a smirk on your face and say, "Aren't we smart? Look what we put over on everybody," but I don't think that's what the people of this province are looking for. You can try to defend it. I think you would be justifiably appalled, were you in opposition, just as I think the Treasurer would have been and the Premier would have been had a Conservative or Liberal govern-

ment put out a document of this kind.

Again, the government has, in its hands, a lot of ways of purveying information. The budget document itself, that it puts out, is one. When people ask me for it in my constituency office, even though it is the budget according to the Ontario government, I provide copies of that, because while the Treasurer's speech is in there—in essence he speaks from it—there is, I think, useful information in there. If they ask for any other information on what my view might be, I'm prepared to provide that as well, but I don't mind doing that. Even as an opposition member, I provide a lot of information that the government provides to all members of the Legislature. I simply want to record my great dissatisfaction with that particular trick on the part of the government because I don't think it serves us well.

The budget itself: Probably the people who described it as a non-event described it best, and maybe that's what the government feels it should do at this time. I was looking for a budget that would in fact restore the economy of Ontario to what it was in our boom years. That's going to be difficult, that's a real challenge, but I think people recall, as the member for Oxford did, those years between 1985 and 1990 when Ontario enjoyed the fastest-growing economy anywhere in North America, and where a lot of people were making investments in this province because they had confidence in that economy. In fact, there were some who said it was an overheated economy because people were so eager to make those kinds of investments.

It's going to be hard to come back to that era again. The competition's tougher; the government has gone through a difficult economic time. But I was looking for something in the document that would move us substantially in that direction. I'm not objective, obviously; I'm making a subjective evaluation. I did not find that.

1730

Second, I asked myself whether the budget would restore the confidence of the objective rating agencies. I don't like the fact that bond rating agencies have any control over us. I don't like that fact, but they do. As the leader of the Liberal Party mentioned today in her question in the House to the Minister of Economic Development and Trade, there is a cost for the government losing its AAA rating. I know that in the difficult times faced in the early 1980s, the Conservative government lost its AAA rating. It went down to something below, I can't recall exactly.

**Ms Murdock:** Single A.

**Mr Bradley:** Single A, says the member for Sudbury, at that time. It bounced back. The Liberal government brought it back to AAA and it's down again.

Governments tend to be—at least treasurers—obsessed somewhat with this. I don't think one should be obsessed but I think it's an important, objective indicator of how the province is moving. That's why I think it's important that the government explain clearly, when it presents its budget, why it is that if its deficit, which is recorded at \$8.5 billion, is \$8.5 billion, it borrows somewhere around \$11 billion. That would indicate to me that there are

funds out there that have been moved off books to other places. The rating agencies are smart people. They spot these things quickly. The opposition looks for those things, obviously, and the media, but I don't think that it really changes much to move them off to crown corporations.

In fact, I've always preferred that the elected people have control over those expenditures. I think any government, whether it's Conservative, Liberal or NDP, that starts moving things to crown corporations is doing a disservice to the people because, as I've said in the House on many occasions, we are the only people—we, the elected representatives—whom the people can get at. They can't get at the heads of these crown corporations. They can't get at these agencies that are away from government. But they can speak to each one of us. They can write to us, telephone us, meet us in person to talk about their problems. That's why I worry when governments move in that direction.

I asked myself as well, when it was coming up, is it a budget that's going to produce jobs? It will produce some, I think; there will be some. Those who are in the margin particularly, who were trying to decide whether they were going to make an investment or not, with some of the programs, that may tip some of them in that direction, and that's good to see that. I don't think it'll produce a substantial number of jobs. In fact, the number of jobs to be increased predicted by the government this year as compared to last year is actually lower. I would have thought that if we were coming out of the recession, as the Treasurer says we are and we all hope we are, we would have seen a greater number of jobs created, because all of us, when we talk to our constituents, know that there is a tragedy of unemployment out there. The number one concern, bar none, with most of the people in our province is, are we going to have jobs for our young people, are people in their middle ages who are thrown out of work going to be able to get jobs and are the people who are closing in on retirement going to be able to get jobs? I think that's where we all have to move.

It's difficult for a government. It's interesting watching, as I do from a perspective of being here since 1977, an NDP government extol the virtues of fiscal conservatism, because my experience, when I was on the other side of the House, was that the government could never spend enough money. All the excellent critics who sat over here from the New Democratic Party suggested, for instance, in health care, if you were increasing it 11%, it should be much more because the genuine needs were out there. Today, a former Health minister, now minister of economic affairs, was up extolling the virtues of fiscal conservatism and saying that there's virtually no increase in the budget.

So when we look in the context of what happened in boom times, I should tell you that when I was a minister, I listened to the opposition, Conservatives and New Democrats, justifiably asking governments to move into new areas, to provide new programs, to provide services that people said they wanted. Things have changed. We can't have it that way any more. But I just want to

remind members that that's the kind of pressure that was there in those days, rather than the pressure to cut.

I also like the fact that the government is participating in an infrastructure renewal program. When the federal government announced, during its election campaign, in its famous red book that one of the significant components would be infrastructure renewal, I was very pleased with that. I remember some of the advertisements I saw that demeaned that kind of work. I think there was somebody shovelling dirt from one hole into another that was put out by the party in power at the time. I'm not supposed to say "Progressive Conservative" any more, because I don't hear that used by my Progressive Conservative friends.

I'm not trying to be partisan in this sense. I'm simply pointing out that I think, as an individual, that infrastructure renewal is important, and when the federal government made those funds available, and Ontario got by far the lion's share of those funds—the Premier has not mentioned that, nor has the Treasurer, but I'm sure they will when they have the opportunity to do so—those funds can be used well.

Some of us served on municipal government as well, and if they were good programs, if they were good projects, not something people just dream up, I think they can be positive for the economy, because if you put a good infrastructure in place, people are more inclined to invest in your area and, second, it creates jobs along the way. And they're not menial jobs. They're not low-class jobs, as some tried to say. They're important jobs to our economy. So I encourage the government to continue to participate in that program.

I noticed in the budget, and perhaps others did, that the government, interestingly, took in its budget and recorded as revenue the money it was getting from the federal government for infrastructure renewal, and then it turned around and recorded as its own expenditures in the field of capital funding the same federal government funding. Now, I'm sure that in tomorrow's debate the Premier will be happy to point that out to everyone. It's something he overlooked, I know, but he will be inclined to point that out, I think, tomorrow. So infrastructure renewal I think is a good program that's worthy of a good deal of support.

I noticed that there was a press conference this morning. It was sponsored, I saw on the television screen, by Mark Morrow, the NDP member for Wentworth East, I think is the riding, and one of the posters they put up was something that said, "Is the Party Over?" Now, this is the pressure the government faces, because these people would believe that the NDP has sold out its own traditional virtues. Where you're getting pressure, perhaps from outside, to cut expenditures, these people believe you should stay with your original program. This was held down in the studio today. It talks about a conference on alternatives to the NDP government to be held Saturday, June 4, from 9 am to 5 pm at the Ontario Institute for Studies in Education.

I watched that press conference, and again it demonstrates the difficulties the government faces and all the pressures that you face. It had such people as Ron Martin, John Clarke, Stephanie Payne, Cherie



MacDonald, Greg Pavelich, Jason Hunt and Shauna Richler-Lancit, who are all there to make a case in favour of the NDP living up to what it believed at one time, as the member for Etobicoke West says, what was contained in the Agenda for People. Wayne Roberts was speaking at 11:30 on—

**Mr Stockwell:** Didn't he write a book?

**Mr Bradley:** He wrote the book *Giving Away a Miracle*.

**Mr Stockwell:** That's it.

**Mr Bradley:** He was the co-author with George Ehring, and these people wrote an excellent book. I gave out several as Christmas presents. They gave out an excellent book. It was reasonably priced, and it talked about the fact that the NDP had abandoned its original agenda.

You'll be happy to know that some of the people speaking there were Leo Panitch of York University, Greg Albo of York University, and Barry Weisleder of OPSEU and John Coones of OLBEU were among the people participating.

They came up with this poster.

Now, this is difficult. I don't know how many people will show up on June 4 at OISE, but what I want to demonstrate is that all the pressure doesn't come from one direction on the government. These people are obviously dissatisfied, and some of the business community on the other side, and I feel a bit sorry for a government when it faces that kind of pressure.

I wanted, however, to talk about the budget itself and some of the fees that I see. The government said that there will be no new taxes, but I think what people have to remember is that there was just not an opportunity to put any more taxes forward. No government in its right mind in the present economic circumstances is going to increase taxes. This government has already increased taxes by over \$4 billion, because it felt in its own mind it needed those taxes to be increased.

1740

As we get near the time for, dare I say it, an election, it is clear that the government is not going to do too many things that are going to annoy the electorate out there. So we see so-called no new taxes. But if the new taxes come into place, if these taxes come into place and the economy improves, you'll find that revenues will increase considerably for the government. They've already put those tax increases into place and they've increased fees. I saw a figure that said, and I think it was accurate, almost \$400 million in new fees were introduced by this government to bring even more money into the government coffers. So we are seeing those.

The students who are out there, and many people know them, are facing a 20% increase in tuition fees. Now somebody told me, I didn't see it myself, that the American revolution—sorry, what's it called?—the Common Sense Revolution calls for almost unlimited increases in tuition fees for people. That's difficult, because it really means going back to the old days when only those who were rich and privileged could go to university or community college.

I don't think we want to go back to those days when that existed, so I think it's important that when there are increases—and I don't think there's anybody who realistically and honestly can stand in this House and say there should be no increases, but when I saw the kind of increase that's contemplated, 20% for instance, which is well above the inflation rate, which one usually uses as kind of a guideline, the inflation rate out there as an increase, that is very excessive. Students, I think, are justifiably concerned about that. I know the members who are recently out of university, some of whom are in this House, would probably in their heart of hearts agree with that.

I wanted to deal with jobs in Ontario, and this brought me to an interview I heard on *The World Today* on CFRB. This interview was with Mr Tom Long. Is he the president of the Progressive Conservative Party of Ontario?

**Mr Stockwell:** No.

**Mr Bradley:** The member for Etobicoke West says no. That's my understanding. I see several heads nodding in the House. Mr Long was asked about the Progressive Conservative Party of Mike Harris employing a major US guru on politics and how to promote a political party. I think his name is Michael Murphy, and my recollection is he ran Jesse Helms's campaign in South Carolina or North Carolina; I forget which it was. It was quite a nasty campaign. It was effective, we can say that, but it was a bit nasty.

When Mr Long was asked, "Why didn't you employ somebody in Ontario?"—because I think we've got a lot of good people in this province to be employed. I'll tell you who found this out was Audrey McLaughlin when she went to California. She ended up firing the person, by the way, who was responsible for that, to her credit, because they went outside the country for this kind of talent as well. But we've got it right here in Ontario, a lot of good people in Ontario, and I'm surprised that one would go to the Republican national campaign to get someone of this kind who had participated in these kinds of election campaigns.

So they asked Mr Long when they asked about hiring somebody from outside, from the United States—

**Mr Stockwell:** On a point of order, Mr Speaker: We should have a quorum, I think.

**The Acting Speaker:** Could the clerk check to see if we have a quorum.

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** The member for St Catharines may resume his participation in the debate.

**Mr Bradley:** I've been corrected by members of the Progressive Conservative caucus, who tell me that Mr Long is not the president of the party but the campaign director. I think he used to be the president of the party at one time. Thanks very much.

Anyway, he had the following to say when John Stall asked him why they hired outside of the country, outside of Ontario. He said: "Well, John, when you've got a message that is different and as big as the one we want to deliver, we had to be sure we went for the best. The fellow we used is actually an old friend of mine, who is one of the leading media consultants in the United States." Indeed, Jesse Helms agreed with that, but I just quarrel with that, when we want to create jobs in Ontario, that we go outside.

I thought perhaps there was something further in the interview that would be useful. I wanted Mr Laughren to be able to talk about why this happened. He said, "In the case of the fellow that we're talking about, he's been involved in a number of very tough political fights in the States." I can think of one, watching the commercials I used to see on TV from the Carolinas when Jesse Helms was running. "And he was able to help us to develop an approach to the voters that, frankly, has never been seen in Canada before."

I suspect that's true; I suspect that's very true. It's never been seen in Canada before, and for good reason, because we've never wanted that kind of campaigning. We've never wanted that in Canada, but we're going to see that now, unfortunately.

Finally, it says, "Tom Long, who runs the campaign for the Ontario Conservatives, defending his position hiring Americans to do some of the consulting and film work for this new campaign." That's the way he ended the interview.

I suspect there are a lot of people in the Progressive Conservative caucus, because I know them personally and I like them, who don't necessarily agree with everything that Tom Long says and does, just as they probably didn't agree with the purchase of the jet when Premier Davis and his government purchased the jet, \$10 million for the comfort and convenience of the cabinet and senior government officials.

I remember they were working on it—I know you'll be surprised, Mr Speaker—in Houston, Texas. I think it might have been constructed in Canada. They took it down to Houston, Texas, to put the "appointments" inside; that's the word that's used. The interior decorating was taking place. I used to get up and ask the Premier about it once a day, every day in question period, and he was very annoyed. I don't know why, because I thought he would be proud of every government program.

**Interjection:** It couldn't land at many airports.

**Mr Bradley:** Well, it couldn't land at many airports, I remember that well. It's all there.

But I don't want to spend time on the Progressive Conservatives and all of the tax increases, because I'm a person who likes to look to the present and the future. Therefore, I want to express a personal concern. Not everybody agrees with this, and I understand the difficulty of budgeting these days, but I looked at the environment budget in Ontario. If there's one thing a lot of people believed in Ontario, it was that over the years the New Democratic Party had a very strong commitment to the environment and that this would be reflected in the

resources, the staff and the budget of the Ministry of Environment and Energy. It's dropped appallingly since this government has been in power.

You can say, "Everybody else's budget has dropped as well." The way you govern, in my view, is that you pick those areas which are most important to government. It sends a strong message out there to the environmental community, who are objective—not members of the New Democratic Party, but objective—when we see that in 1990 the budget of the Ministry of Environment and Energy was over \$400 million just for operating costs, not even taking into consideration the capital costs, and that today that has dropped to \$276 million. That's a very, very significant drop. That means that the ministry is unable to carry out its mandate, as it should have been, and that concerns me greatly.

I also want to talk a bit about untrammelled slashing of budgets. I think a lot of government members in their heart of hearts would agree with this. I've listened to people who are ultraconservative in terms of spending—in fact, I went to the announcement of \$32 million going to Niagara College, and the Premier was there, the minister was there, and those of us from the Niagara region were sitting there. I looked out into the audience and saw members of the taxpayers' coalition, and I know that over the years they have been very diligent in looking at all the expenditures that are made. As I looked out at the audience as the Premier brought the good news to the Niagara region, the hands were coming together in applause.

1750

I said on that occasion that I was pleased to see that even those who had found fault with the expenditures of government recognized the importance of an investment in education and were there to applaud as \$32 million was given to Niagara College by the government of Ontario from the taxpayers of Ontario. It's always interesting to observe what is important to some and what isn't important to some, and how even those who are fiscal conservatives are pleased to see money forthcoming in their own area.

I want to talk briefly about what happens when you just slash and burn, when you just cut everything. I mean, the government has cut a lot now. We in the opposition don't like giving you any credit for that, but you have made some cuts. We don't always agree with where they are. I would suggest that there are other areas than some of the areas they've chosen. But a lot has been cut now.

I'm going to tell you, those who advocate tremendous further cuts, radical further cuts, are going to get down to programs that hit everybody. That means the people in Linhaven Home in St Catharines—you could say that's any home in Ontario—who have Alzheimer's and who had staff there to service them on almost a 24-hour basis, to provide some relief for the families and so on, are not going to get the same service today. They can't provide that service because the money isn't there. That's even with just what's happening now, let alone further cuts.

That means that the hospitals can't provide the kind of service they want to provide, and that means that Sarah McLaughlin in St Catharines, who's a very disabled



young girl in St Catharines, who has multiple disabilities, is unable to get the kind of service she needs, that her parents yearn for, because already budgets have been cut back. Not because the government wants to, not because they're mean people, but because they have made this decision that they have to cut the way they have.

My point is that if you go into drastic further cuts, those are the people who are hurt. Many times I meet with people who say: "The number one priority is cutting the provincial deficit. It's important. We have to be fiscally responsible." That's when they're wearing one hat. Then I meet them and they're on the hospital board, and they say, "Our hospital needs more money," or they're on the board of a university and say, "But the university needs more money," or they're on the children's aid society and they say, "We're underfunded."

It's interesting to see those hats, because that's the hat a government has to wear, that's the hat that I as a legislator have to wear: the one of making tough decisions about where you're spending money. To those who advocate those radical policies in terms of taking money out of the system, who say, "You can simply cut taxes way, way down and there's no problem," that is not necessarily an answer. Some of the supporters of those people—and I'm not saying it's any political party; I don't want to put it in a party context, but there are individuals out there who believe this who should see that we're going to be down to really cutting where it hurts on individual services to people.

The municipalities will have to pick it up, yes, and others will have to pick it up in the private sector, yes. I'm even seeing today a movement towards more and more medical costs being paid privately, because governments have felt that crunch.

That's a caution I put out there. Don't destroy everything we've built in this province. Don't destroy everything we've built in this country that Progressive Conservatives, Liberals and New Democrats and others have been proud of over the years, many times established by a Conservative government, many times established by a Liberal government and built on, and many times brought forward by an NDP government.

Let's choose carefully. Let's choose what is absolutely essential. Let's put out the welcome mat for business in our province, create an atmosphere that makes people want to invest here. Let's do all of those things. But let us never forget that those of us who are elected to this chamber are elected primarily to defend those who cannot defend themselves, those who cannot speak for themselves. They're not the rich and they're not the privileged, but they are the people of this province whom we are elected to serve.

**The Acting Speaker:** Questions or comments?

**Mr David Tilson (Dufferin-Peel):** I'd like to make a few comments with respect to the member for St Catharines. I quite often find his comments amusing, and today of course has not been an exception, particularly his comments with respect to the Progressive Conservative plan for the time when they attain the government, specifically the plan to cut provincial taxes, eliminate the deficit, cut WC premiums and other such matters.

The member for St Catharines has had a wonderful time probably treating it in a frivolous sort of manner, and he has his right to do that. The fact of the matter is that the Conservatives do have a plan, and I haven't really heard too much of a plan from the Liberals or the New Democratic Party with respect to how they propose to govern if they are able to persuade the voters to vote in the next government.

I will agree with the member for St Catharines on a couple of issues. One of them is that of course this budget really doesn't say too much. It has talked about how, oh, they're going to do away with the employer health tax for a year, and that's only on individuals who are being hired for the first time. They're also going to do away with the delivery-of-dirt tax. They're not going to do away with the tax on dirt, but they're going to do away with the delivery-of-the-dirt tax. The tax on dirt still exists; the tax on aggregates still exists. It's only the delivery. So that has been a rather deceptive point of view that's put forward by the government.

I would have hoped this government would have talked about how it's going to cut back on the tremendous waste that's accumulated over a number of years. I would have hoped they would have talked about doing away with many of the plans and the programs that this province not only can't afford but simply doesn't have the need to do. But none of that has come forward in this budget. All we've talked about is they've said, "We're not going to have any new taxes." The problem is, we do have new taxes with respect to the deficit.

**Mr Perruzza:** I'm happy to participate very briefly in this debate and respond very quickly to some of the comments that have been made. I have here the Ontario Budget 1994. We all, every one of us in this House, got a copy of this budget. You know that; you remember. It happened just a few short days ago. We were delivered this by the pages as the Treasurer read this budget.

My Liberal colleague is angry that not every Ontarian got this budget. He is angry that we communicated through a news ad to Ontarians some of the more salient facts in the budget, because my Liberal friend doesn't want to provide Ontarians with the information that's in the budget. That's what it is.

He's saying, "Don't tell Ontarians that in the budget you have a provision that allows people to go out, those who normally wouldn't be able to buy a home, to buy a home. Keep that information from them. Keep it in this big, thick document here at Queen's Park. Don't tell them that in a news ad, because then they would know. Don't tell Ontarians that you're going to be investing money in roads and sewers and creating jobs across the province. Don't do that, because I'm going to be angry, because then I'm not going to be able to rile them against you. Don't tell Ontarians that there are going to be no tax increases because we want a recovery to happen. Don't tell them that, because it will be harder for me as a Liberal to go out and incite people, rile people and generate pessimism, undermine confidence and defunct the economy, because that way I will not be able to gain power in the province of Ontario." I say that's wrong.

**Mrs O'Neill:** I found some of the remarks of the

member for St Catharines amusing, but I certainly didn't find them frivolous. I feel that he, again, is one of the few in this debate speaking about people with real needs.

He brought to our attention people with disabilities. This budget did nothing for those kinds of vulnerable people whom he ended his speech in mentioning.

1800

The special-services-at-home people have been trying to get a meeting with their minister for four months—nothing happening. On the other end of the spectrum, tax reform, child care reform, social assistance reform, educational finance reform: You can go through every single page of that budget and you'll never see those words, but they were commitments of this government.

The budget is the main policy statement of any government, and those things that were there, flagships, are gone. They're gone off the books and everyone knows that. The main concern of the people in this province who are providers of services in this province is that their needs are only met through the social contract cutbacks. They're not mentioned in any other place in this budget.

I think it's very sad that children, the best resource of this province, are no longer part of the priority of this government and are not brought forward to the House of this Legislature by this government.

Early intervention of children at risk is a very good way to spend our money. It's much better than what we're talking about now, and that is spending at the other end to intervene when it's too late with young offenders.

**The Acting Speaker:** We can accommodate one final participant.

**Mr Stockwell:** I take special pride, considering who I bumped out of rotation.

One measure, I think, of the speech given by the member for St Catharines on which I like to think of governments is, "In difficult times such as the times this governing party has ruled...."

Difficult times generally dictate optionless choices, and optionless choices basically are that you have to go ahead with cutting and paring and downsizing and making a group of decisions that you probably are less than comfortable with, should you be on the left of centre in the political spectrum.

The more interesting time to look at a party in power is when parties are in power during good times, because during good times the need to be more fiscally responsible is not necessarily as public.

I think of the last five years of the Liberal Party and I think the member for St Catharines makes a very valid point. Nobody ever asked the member for St Catharines to balance budgets or to bring in low deficits. All they wanted the member for St Catharines to do was spend more money.

I think in the Liberal period they did spend a lot more money; there's no debate about that. When you measure the spending from the year they took over to the year they left power, they spent a lot of money. They did tax for it, too. I give them credit: They only added \$10

billion to the deficit during that five-year period. They did pay for what they spent through increased taxes.

I think the point that needs to be asked about the Liberal Party today is: What kind of party are we faced with if it were lucky enough to get in government? Are we faced with the party we see today where fiscal responsibility, balanced budgets and spending are a priority? Are we faced with the party that was in power from 1985-90, where spending and tax hikes and environmental concerns were priority one?

It's a question that keeps nagging my mind, and maybe the member for St Catharines can help me, because I find it a bit of a conundrum. I can't seem to nail them down.

**The Acting Speaker:** Thank you. This completes the time allowed for questions or comments. The member for St Catharines has two minutes in response.

**Mr Bradley:** I enjoyed the speakers of each of the political parties in this. I simply think that the member for Downsview missed the point if he doesn't understand it. I don't object to the use of your party funds to put that message out. I simply object to governments anywhere doing it, and governments have over the years.

I appreciate the remarks of the member for Ottawa-Rideau. I think that her commitment to those who are most vulnerable in our society is an extremely important commitment and one that we can't forget.

The people who are most vulnerable often are not heard because they don't have a lot of money and they don't have a lot of influence in our society. That means that we, as individuals, have to reach out to them and find out what their problems are and how, in a most efficient fashion and a most compassionate fashion, we're able to deal with their problems. I don't think there's anybody here who would reject funds to be devoted to those who are very vulnerable in our society.

The member for Etobicoke West, as always, puts his questions nicely. I guess that is a choice that people will have to make. I cannot go to the extreme right. I've always been what I consider to be a moderate in our society over the years. I've been in the political centre, sometimes a little to the right of centre, sometimes a little to the left of centre, depending on the issue and what's important in the day. I think that's where the people of Ontario have been. That's where many Progressive Conservative governments were over the years.

When Bill Davis and his government, of which Mike Harris was a part, levied all kinds of taxes on the people of Ontario, it's because they wanted to pay for programs that that Conservative government felt were important in that particular day.

I anticipate that all governments are going to govern according to the times in which we find ourselves, just as the Conservatives were big spenders when it allowed them to do so.

**The Acting Speaker:** It now being past 6 of the clock, this House stands adjourned until tomorrow, Wednesday, May 11, at 1:30 pm.

The House adjourned at 1806.



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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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of Ontario**

Third Session, 35th Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 35<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

Wednesday 11 May 1994

**Journal  
des débats  
(Hansard)**

Mercredi 11 mai 1994



Speaker  
Honourable David Warner

Président  
L'honorable David Warner

Clerk  
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Claude L. DesRosiers

*50th anniversary*

*1944–1994*

*50<sup>e</sup> anniversaire*

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 11 May 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 11 mai 1994

The House met at 1332.

Prayers.

## MEMBERS' STATEMENTS NURSES WEEK

**Mr John C. Cleary (Cornwall):** I am pleased to rise today to salute the work of an integral group of health care professionals dedicated to delivering high-quality service in our hospitals, clinics and communities.

National nursing week began on Monday and I was proud to be able to help launch the celebration in my riding by participating in the opening ceremonies at the Cornwall General Hospital.

Canada is fortunate to be the home of more than 275,000 nurses, with more than 50,000 participating here in Ontario. We are most keenly aware of those who provide patient care in our hospitals, long-term care facilities and clinics. We should be reminded, however, that the nurses are active in public health promotion, counselling, education, home care programs and industry.

The focus of this year's campaign is "Nurses Make the Difference," and it is particularly appropriate in 1994. At a time when patients are demanding more of their health care system, governments are forced to provide less in terms of support. Ontario nurses do make the difference, and will make the difference in years to come.

Nurses in my region, in Ontario and throughout Canada deserve our thanks and congratulations for their fine work as we mark national nursing week.

## MYALGIC ENCEPHALOMYELITIS AND CHRONIC FATIGUE SYNDROME

**Mr Jim Wilson (Simcoe West):** I rise to inform members that tomorrow, May 12, is the second annual myalgic encephalomyelitis and chronic fatigue syndrome international public awareness day.

May 12 is the birthdate of Florence Nightingale, who was believed to be the first known sufferer of ME. International public awareness for ME and chronic fatigue syndrome is important because action is needed and very little is known about this painful and debilitating disease.

It is estimated that 10,000 individuals suffer from ME in Ontario. Of these, approximately 7,500 are women. Seventy-seven per cent of ME sufferers were stricken with the disease between 1986 and 1992. Over 50% of those stricken with the disease are teachers, students and health care workers.

On Monday, the provincial government announced funding for an environmental health clinic. While this announcement is a positive first step, it came a full eight months after the minister promised to establish this clinic. As well, those who suffer from ME remain frustrated by the government's refusal to take this disease seriously.

There are still far too many people in this province who are being misdiagnosed and who do not have access to appropriate care. The government's recent announcement will not address these needs.

On behalf of the ME Association of Ontario and the ME Association of Halton and Hamilton-Wentworth, my colleagues and I urge the government to act immediately to convene the promised provincial advisory committee on non-specific disorders and to initiate an epidemiological surveillance to evaluate the extent of the ME crisis in Ontario.

**The Speaker (Hon David Warner):** The member's time has expired.

**Mr Jim Wilson:** It's time the government made health care a priority in this province.

## VICTIMS OF VIOLENCE

**Mr Anthony Perruzza (Downsview):** I rise today to add my voice to the thousands of other voices that have spoken out against violent crime, particularly the growing number of murders and violent deaths in the province of Ontario.

The taking of a human life, for whatever reason, is a deplorable and reprehensible act that affects our whole society. It disturbs me, however, that some cases get a great deal of attention from the media, the public and politicians, while others are virtually ignored. I believe that the taking of a human life is a terrible act, regardless of where it occurs. The victim of a slaying in a back alley is no less worthy of public grief and attention than one who is killed in our own neighbourhoods.

With this in mind, I am requesting that the Solicitor General or his or her designate read out in the Legislature, when such deaths occur and it is appropriate, the names of murder victims in the province of Ontario.

I am today writing to the Solicitor General asking that the names of victims of murder or manslaughter in the province of Ontario be read in this House so that all the members of this Parliament are reminded in our daily work about this tragic loss of life and that we reflect on this as we make laws for the province of Ontario.

It is my hope that by actively keeping the names of the victims in mind we will strive to work in the course of our daily proceedings on the root causes of crimes which lead to such tragic deaths.

## SOCIAL ASSISTANCE

**Mrs Yvonne O'Neill (Ottawa-Rideau):** There is an important rally taking place at Queen's Park today. In fact, many of the members of that rally are with us this afternoon. Once again, we have people who are vulnerable bringing their needs, indeed their rights, to the attention of this Legislature.

They are reminding us of this NDP government's broken promise of social assistance reform, of this government's promise on child care reform, also broken, and the NDP's broken promise on a commitment to educational funding. They are reminding us again of the real need for action in this province on poverty.

They bring to this Legislature a strong statement of their anger with the broken promises of this NDP government to youth, to families, and especially to families with children.

Lyn McLeod knows that, "It is not the role of government to direct and control people's lives, but rather it is the role of government to create an environment in which people can solve problems for themselves," to provide an environment in which people in need are respected and are given real choices that restore their self-reliance and their independence.

The time is now to make children a priority. The time is now to give real opportunities to those on social assistance to be full, participating members of the communities of Ontario.

#### INTERNATIONAL PLOWING MATCH

**Mr Leo Jordan (Lanark-Renfrew):** I am pleased to wear this sweatshirt in the House today for the promotion of the greatest event in Renfrew county. Renfrew county is hosting the 1994 International Plowing Match, which will take place in Pembroke township from September 20 to 24.

Having had the pleasure of working with the organization committee, I can gladly say that the people of Renfrew county are more than ready to welcome over 100,000 visitors to Canada's largest outdoors show of farming and rural living.

Approximately 1,000 volunteers are working hard to make this event happen. I want to offer special congratulations to Chairman Fred Blackstein, Warden Alvin Stone, Reeve Jack Wilson, Jack Campbell and all 52 chairpersons on the International Plowing Match committee.

The plowing match will feature 650 exhibits from all over the world, covering a wide variety of subjects, ranging from zoology to antiques. The event will feature a tented city spanning an area equivalent to 24 city blocks.

Our theme is "A Celebration of Rural Living." Our slogan is "Catch the Match." With that, I invite all members of this House and all people across Ontario to join us and see what Renfrew county has to offer.

1340

#### ANTI-TOBACCO ADVERTISING

**Mr Larry O'Connor (Durham-York):** I am pleased today to congratulate the people in the Ministry of Health and Vickers and Benson Advertising Ltd, a wholly Canadian, Ontario-based ad agency that we've hired to carry out the Ontario tobacco strategy, for winning five awards, including the best ad in Canada, at the Canadian Television Commercials Festival last week.

The three smoking commercials, *Dreams*, *Quick-Time*—known as Joanne because of its music track—and *Swimmer* swept the government category, taking gold,

silver and a certificate of merit. The three spots also took a Bronze Bessie, the third best overall in the country.

It was *Dreams* that showed a Porsche burning up, which illustrates the lifetime costs of smoking, that won the Gold Bessie for the best English-language commercial in Canada.

This is quite a feat, but I'm not surprised, because I have talked to many schools and students right across the province about this campaign, and everywhere I go they tell me about the effect that these ads have had on them.

It's very clear with this kind of anecdotal feedback that Ontario has created a campaign that is working and is reaching its primary target: pre-teens. It's working because of the hard work and commitment of the people within the ministry.

But we cannot do all this work in isolation. Part of the overall tobacco strategy includes community programs and the legislation. We have Bill 119, the Tobacco Control Act, already brought forward for third reading. It's important that we get this passed as quickly as we possibly can to keep more young people from becoming addicted to tobacco.

#### POLITICAL ADVERTISING

**Mr Steven W. Mahoney (Mississauga West):** I have a book in my hand called *Strange Bedfellows*. This book details how television and the presidential candidates changed American politics in 1992.

You might wonder what a book called *Strange Bedfellows*, about American politics, has to do with the Ontario Legislature. The reason I raise this is because Ontarians were rightfully shocked earlier this week when they learned about the Americanization of the Progressive Conservative Party. You will remember that it was Mike Harris, the leader of that party, who hired Americans to direct his so-called Common Sense Revolution, now known as the American revolution.

If Americans are going to be running Mr Harris's campaign, I think we deserve to know a little bit more about the people behind it. One of the Americans hired by Mr Harris is none other than Mike Murphy. Mike Murphy is renowned through the States as the master of the negative ad.

It says in the book: "Murphy was advocating that Bush adopt a far right-wing stance, built on divisive wedge issues to make his opponents seem unacceptable and dangerous. Both for his right-wing fanaticism and its cynicism about Bush, Murphy's critique was rejected out of hand. Murphy was all but banished from Bush's campaign."

This is who Mr Harris describes as the best and the brightest. He's too right-wing for Mr Bush but not for Mr Harris.

The other day I gave him this flag. Today I'd like to give him a bumper sticker that says "Proudly Canadian." If only he were.

#### HEALTH CARE

**Mr Allan K. McLean (Simcoe East):** My statement is for the Minister of Health. Liberal and NDP members choose to deny that user fees exist in health care services.



I would suggest they are misguided if they are not aware that many health services are not covered by OHIP and require user fees, labelled by the Liberals and NDP as "copayments" or "consumer fees".

Audrey Leach of Orillia wrote to me about a motor vehicle accident last March near Lindsay. Audrey and her three friends shared the same ambulance and each was charged a \$45 fee.

The Liberals and the NDP believe our health care system is universal; it is not. There are many services not covered by OHIP. For example, anyone using an ambulance must pay for it. In an emergency, the copayment or consumer fee or user fee is \$45. In a non-emergency situation, you'll be charged more than \$200, plus mileage and expenses.

Some user fees, like the daily charges for nursing home occupants, are based on income. Others are straight fees paid by everyone, regardless of their financial situation. There is a growing list of services that are simply no longer available as the provincial government attempts to control costs.

It's time for politicians and vested interests to stop kidding the people about the existence of a free, universal and equitable health care system. It does not exist in Ontario.

Once we implement the recommendations of the Common Sense Revolution, we can start an effort based on the real situation to improve the system to make it fair, affordable and efficient, one that provides for everyone's needs.

#### SCIENCE NORTH

**Ms Sharon Murdock (Sudbury):** Last Friday, while in my riding, I had the pleasure, on behalf of the Minister of Environment and Energy, of presenting a cheque to Science North in the amount of \$100,000.

The reason I was very pleased to do that was because Science North, as everyone knows, has a mandate to provide science opportunities all across northern Ontario. That is a very difficult mandate for them, given the distances and the size of the different municipalities there.

The \$100,000 is being used for the toolbox program, which is toolbox kits sent out with specific science kinds of programs that go to different schools, one- and two-room schools, that teachers can use to do it.

The other part of the program is the energy in a shoebox. Over 75 children in grades 4 to 8 provided kits in a shoebox that showed some kind of energy program. The competition was very tough. It was really exciting to see.

The other thing is that the staff and Jim Marchbank at Science North made sure that there were students there. It was a real pleasure to notice that most of the children who were there and had entered in the competition were young women in this province. That is always a good sign to see, that science and maths are being entered by the young women.

I congratulate Science North for the work that it's doing.

#### ORAL QUESTIONS

##### JOB CREATION

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Premier and it's to do with jobs in the budget. I think the most disappointing number in the budget for us, Premier, was the number on page 51 around employment. I'm sure you're aware of it, but we actually see, in 1994, fewer jobs being created in the province than we saw in 1993. In your budget, those are the numbers: fewer jobs being created in 1994 than 1993.

We've already seen in the first four months, Premier, as I'm sure you're aware, that the rest of Canada has seen a real job boom. I believe the numbers are about 157,000 jobs created in the rest of Canada in the first four months of 1994; in Ontario it is around 5,000. We now will see literally thousands of young people graduating from our colleges and our universities and looking for jobs.

My question is this: What is happening in Ontario, where we now see that we are going to see fewer jobs created in 1994 than we saw in 1993? We're seeing in the rest of Canada a job boom and we're seeing in Ontario a job bust.

**Hon Bob Rae (Premier):** I'm delighted that the member would ask that question on a day on which this province has announced the largest single civil engineering contract in the history of Canada.

It would take a cynical, tired, fuzzed-out Liberal to come up with the premise that on a day on which the Minister of Economic Development and Trade is announcing, in cooperation with the federal government, the inauguration of the Canada-Ontario infrastructure program and a granting of jobs in Peel, and on which this government announces that we are not going to be waiting until 2015, which is the timetable that was set up by the Liberals for the completion of Highway 407—we are going to have that highway completed by 1998 and we're going to be creating 20,000 jobs in the next four and a half years—it would take the most tired and cynical of Liberals to come up with the view that somehow there's bad news in the budget.

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There's good news in the budget. It's a positive approach; it's a constructive approach. That's why, ironically, we had the strong support of the federal Minister of Finance for the approach that we've taken. We've got good cooperation on job creation, and the member for Scarborough-Agincourt should be ashamed of himself for taking such a dim and negative view. Dr Negative, Dr Negative, Dr Negative.

**The Speaker (Hon David Warner):** Would the Premier conclude his response, please.

**Hon Mr Rae:** It didn't work in the 1980s and it's not going to work in the 1990s. That's the kind of negative Liberalism that people in this province want nothing to do with, nothing at all.

**Mr Phillips:** The Premier is being, frankly, silly. I am quoting your own budget numbers, if you choose to look at them. You told the people of this province that there will be fewer jobs created in 1994 than 1993. That's not me saying it, Premier, that's you. That must be you, Dr

Negative. It must be you reporting that there are going to be fewer jobs, not me.

You want to talk about cynical? Because now you've got me slightly angry. If you want to know about a cynical move, do you know what's happened in this budget? You have taken all of the federal infrastructure money, all the money the federal government's reporting, and you have now reported it as your own spending. You have told the people of this province—

**Hon Mr Rae:** That is false.

**Mr Phillips:** It's not true, he's saying. It is true. The document that the government itself put out says, "We are spending \$3.8 billion on our capital plan." That includes \$253 million of the federal money, and if it doesn't, then stand up and tell me why you've got it in your budget, included in that number.

**Hon Mr Rae:** The member is completely and totally wrong.

**Mr Phillips:** I will appreciate a clarification, then, of the budget, when you say I'm completely and totally wrong. In the budget, as revenue, the province took \$253 million of the federal money, put it into their pocket, and then on the very next page took it out and spent it and declared it was their spending. I don't think I'm wrong; I think you might be wrong.

I would appreciate it if you, by the end of question period, could explain how you've taken \$253 million of the federal government's money, put it in your pocket, and then once again reported it as your own expenditures. I believe in your \$3.8-billion number that you put out to the public, you've included all of the federal infrastructure money, spending.

If I am wrong, I will say I'm wrong. I would like to have a clarification of how you could have in your budget \$253 million of federal revenue. How do you explain that?

**Hon Mr Rae:** I would say to the honourable member—and if I'd had notice of some of the technical nature of this question, I would have been able to respond to it—very directly that he is flat wrong with respect to what he's saying.

Our own infrastructure spending is up and we are of course including our own contributions to the federal-provincial-municipal program. Of course we're doing that, since that's provincial dollars. But the suggestion that somehow there's something else included in the capital dollars is false, completely false, and is quite erroneous. I hope the member will withdraw it.

I would say further to the honourable member that I find it astonishing, I really do, that on a day when we are announcing the largest single civil engineering contract in the history of Canada, the opposition wouldn't at least have the human decency to recognize that today just happens to be a very good news day for those construction workers who have been waiting for this kind of news for a long time.

I look forward to talking with the construction workers in the member's riding and saying that it's the kind of do-nothing, dour, negative, do-nothing Liberalism that's done nothing for this province, and that it's a positive,

constructive approach by the New Democratic Party that's putting tens of thousands of construction workers in this province back to work. I'm proud of it, very proud of it.

#### NON-UTILITY GENERATION

**Mr Sean G. Conway (Renfrew North):** My question is to the Minister of Environment and Energy, responsible as he is for Ontario Hydro. I was quite intrigued by your answers to my question and to questions put on a similar subject by the Leader of the Opposition yesterday afternoon, so I'd like now to return to that subject.

It is very clear from your answer and from the Suncor press release of a few days ago that Ontario Hydro has entered into an arrangement with Suncor, an arrangement which your government has in fact approved by order in council. That arrangement between Ontario Hydro and Suncor involves the following: The utility, that is, Ontario Hydro, has clearly paid a substantial amount of money to Suncor so that Suncor will not proceed with the construction of its own electrical generating capacity.

My question to the minister is, how much money did Ontario Hydro pay to Suncor and for what did Ontario Hydro pay Suncor?

**Hon Bud Wildman (Minister of Environment and Energy):** My friend the member for Renfrew North is incorrect in his preamble in saying that Ontario Hydro has paid Suncor not to construct generating capacity. In fact he may know that Suncor already has generating capacity.

Ontario Hydro is taking a flexible, businesslike approach in serving its customers in managing its surplus. Frankly, this arrangement with Suncor, as well as the arrangement with the joint venture of Nova, Polysar and Dow, allows Hydro to ensure that its surplus does not increase and ensures that the ratepayers will not see significant increases.

**Mr Conway:** Minister, I have Hydro documents and I have a Suncor document, both of which make plain that what Hydro did and what your government endorsed was that Hydro paid an as-yet-undisclosed amount of money, but believed to be in the millions of dollars. Hydro paid that kind of an amount of money to Suncor so that Suncor would not now proceed to build additional electrical generating capacity. It is very clear from both of these documents.

My question is, how much did Hydro pay, for what specifically did Hydro pay, and is it now the policy of the Rae-Wildman government that Hydro is going to pay, and pay substantial amounts of money, to keep people like Suncor and anybody else who might opt out of the Hydro grid, that you're going to buy them back into the grid or at least buy them to stay in the grid?

**Hon Mr Wildman:** In regard to other industries, as I indicated yesterday, Ontario Hydro is prepared to consider with other industries proposals they might make to ensure that they can remain competitive and that they will be able to be flexible in their approaches to the generation of electricity and to ensure that both Ontario Hydro and the industries involved are businesslike and efficient.



The industries that have proposals can make proposals to Ontario Hydro and Ontario Hydro will entertain them on a case-by-case basis, determined on the basis of what is good for the ratepayers of Ontario Hydro, good for jobs in this province, good for the economy of this province and good for the taxpayers of this province.

**Mr Conway:** I think it's a very interesting answer, however tentative and fragile was the minister in giving it both today and yesterday.

This is an enormously important policy question for the province as a whole, because what the minister is confirming is that for the first time in my memory, Ontario Hydro, with the blessing of the provincial government, has paid—and has paid, I believe, millions of dollars—for a major power user not to opt out of the Hydro grid. That is a dramatic policy development.

1400

Is the minister saying that that policy, which has clearly applied to Suncor for whatever good reason, is in fact going to be available to power users large and small throughout the rest of the province?

**Hon Mr Wildman:** The member has indicated that this is a new policy development. I think it's important to recognize that Ontario Hydro had not imposed a moratorium or a change in policy with regard to load displacement activity. Ontario Hydro never had such a policy, so this is not a change. The fact is that Suncor is going to be able to continue to operate in the Sarnia area and make a contribution to the economy of that part of the province.

The other part of this development, which the member doesn't want to hear about, is the agreement with the joint venture. In that case, the power of the joint venture is costing less than four cents per kilowatt-hour.

If the member knows of other industries, large and small, in the province that wish to make such proposals to Ontario Hydro, Ontario Hydro will entertain them and discuss them on a case-by-case basis and make a decision based on the economics and what is good for the ratepayers and the taxpayers of the province.

If the member thinks that I'm fragile and tentative, I'm trying to be as forthright and straight with him as possible.

#### METROPOLITAN TORONTO HOUSING AUTHORITY

**Mrs Margaret Marland (Mississauga South):** My question is to the Minister of Housing. I'd like to tell the minister that if she thinks the Metropolitan Toronto Housing Authority scandal is going to go away just because she and the Premier were absent yesterday, she's wrong.

We keep learning more and more about the mess at MTHA. Recently leaked internal reports show financial mismanagement and possible irregularities going all the way back to 1987 and, of course, the Peterson Liberal government. Now we know that documented irregularities go even further back in time.

We must also ask the previous chair of the board, John Sewell, to testify. Nor can we ignore previous ministers of Housing. Former minister Chaviva Hošek, now Prime Minister Jean Chrétien's director of policy and research,

has to tell us what has happened. So do former Liberal ministers John Sweeney and the Liberal member for Scarborough North, who is still in this House. The Minister of Education and Training, David Cooke, who was the NDP's first Housing minister, must also give his story.

Minister, will your government ensure that the public accounts committee of this House has an opportunity to hear testimony from all the former ministers and chairs I have named today?

**Hon Evelyn Gigantes (Minister of Housing):** It's interesting that when the member for Mississauga South asks a question, she gives a view of political history which is somewhat limited.

MTHA, of course, was invented under Conservative governments in this province, and MTHA, I'll remind her, has always been an institution which has had difficulties. It's a very large public housing authority. It has 32,000 units, it has 1,200 employees and it has had problems in the past going back over a long period of time. Would she like us to call Claude Bennett too?

**Mrs Marland:** Maybe you'd like to tell us how many toilets they have while you're giving us all of that babble-trap that has nothing to do with the question that's asked in this House about scandal, embezzlement, fraud and all the other problems that are now out in the public.

As a matter of fact, our view is very definite. If you want to know what our view is on government housing—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mrs Marland:** —read this revolutionary Common Sense Revolution.

It is obvious that this minister refuses to take seriously the evidence that there is widespread mismanagement and possible criminal wrongdoing at MTHA. This minister says—

*Interjections.*

**The Speaker:** Could the honourable member take her seat.

*Interjections.*

**The Speaker:** The member for Mississauga South.

**Mrs Marland:** The minister says the incidents at MTHA are isolated, yet more than 10 audit reports document problems virtually in every aspect of the management of MTHA. There are more audits which the board will see for the first time at its next meeting. The minister keeps insisting that there is nothing out of the ordinary in the audit reports. Since when are embezzlement, fraud, kickbacks, rigged bids and overbilling ordinary occurrences?

The minister says these sorts of reprehensible incidents occur in all large organizations. Does she really think most large organizations end up being investigated by Project 80—

**The Speaker:** Would the member place a question, please?

**Mrs Marland:** —the police anti-corruption squad, and having their employees charged with embezzlement? Do

you even know what Project 80 is about?

My question to the minister is this: Will you make a statement to this House finally telling us exactly what you know about MTHA and when you learned of these occurrences, or will you continue covering up the activities that range from financial mismanagement to alleged criminal wrongdoing?

**Hon Ms Gigantes:** I never said that these were isolated incidents and I never said that there were not problems at MTHA. I have said consistently in questions that have been raised in this Legislature over the last few days—there's a sudden rush of interest in affairs of MTHA, which is good, which is fine. I like to see the member for Mississauga South start to pay attention to the needs of Ontario housing communities in this province. It's a good sign.

If there is embezzlement at a bank, we don't say shut down the Royal Bank, and if she wants to paralyse the Metropolitan Toronto Housing Authority, let her say so. There is nothing hidden. The reports which she refers to, the audit reports, were brought before meetings of the finance committee and the board of MTHA. There is no reason why they should not be made public. They are being reviewed at the Ministry of Housing to make sure that we abide by the Freedom of Information and Protection of Privacy Act and they will be released.

**Mrs Marland:** Now I finally know why we're in such bad trouble in this province. If you do not know the difference between the government and the Royal Bank and public funds and private corporations, that's why we're in trouble.

I do not use the word "coverup" lightly any more than I'd use the word "scandal" lightly. The minister says there is nothing being hidden, there is nothing secretive about this. All the quotes that I am using are in Hansard, and if the minister wants to review what she said, maybe she'd learn something.

I would simply say to this minister, really, the MTHA board chair says the board has been kept in the dark about the audits and investigations. The chair of the board's tender review committee says staff at MTHA have withheld information from the board. The board of the Ontario Housing Corp, which oversees MTHA and all regional housing authorities, just today got a briefing, an emergency conference on the telephone, for the first time, and it was told about the things that have been happening in MTHA over the last seven years.

Finally, the minister, who knows about the problems after repeated briefings with the vice-chair of the board, has still not come in this House and told us what is happening.

**The Speaker:** Would the member place a question, please.

**Mrs Marland:** Minister, with that kind of track record, we believe that you are irresponsible and you should resign.

**Hon Ms Gigantes:** There is an awful lot of sound and fury in all those statements, but when I have said, as I have just said, that all the reports can and will be released, I hope the member will take yes for an answer.

When she alludes to the fact that this government does not understand the difference, or perhaps that I personally do not understand the difference, between private and public, I'm really quite surprised. Is this not the party which is proposing to take that public asset called MTHA and the Ontario Housing Corp and sell it to the private sector?

1410

**The Speaker:** New question.

**Mrs Marland:** The sound and fury is nothing to what this government will hear from the taxpayers around this province in the next election. This minister tells us that these reports will be released.

**The Speaker:** To whom is your second question directed?

**Mrs Marland:** To the Minister of Housing. I simply say to this minister that she can stand in this House and keep promising that these reports are going to be released. Well, everything the public knows today is by leaked documents. She is a minister of the crown. She has a responsibility to tell the public what is going on in publicly funded housing in this province.

#### MUNICIPAL PLANNING

**Mrs Margaret Marland (Mississauga South):** My next question concerns the Flying Toad housing co-op proposal for the Toronto Islands, so you better turn to that page, Madam Minister.

Thanks to the NDP Bill 61, the site of the Flying Toad co-op doesn't have to go through the municipal planning process, even though it's parkland and a floodplain. Ordinarily, there would be public hearings, because the land would have to be rezoned and the Toronto official plan would have to be amended.

Nor does the Flying Toad co-op have to go through the normal process used by non-profit housing groups to get Ontario government funding. It has leap-frogged, or should I say leap-toaded, to the front of the line.

Minister, is it fair to the sponsors of other non-profit and cooperative housing projects to exempt the Flying Toad co-op on the Toronto Islands from the normal planning and funding requirements?

**Hon Evelyn Gigantes (Minister of Housing):** As this question refers to planning matters, I will refer it to the Minister of Municipal Affairs.

**Hon Ed Philip (Minister of Municipal Affairs):** Just as her colleague yesterday made a number of factual errors when he asked this question in the House, so too this member has. Yesterday the member said it was on floodplain. It is not on floodplain.

**Mr Chris Stockwell (Etobicoke West):** The whole island's on a floodplain.

**Hon Mr Philip:** It's not on floodplain at all.

**The Speaker (Hon David Warner):** Order, the member for Etobicoke West.

**Mr Stockwell:** Holy smokes, the whole island's a floodplain.

*Interjections.*

**The Speaker:** Would the minister take his seat,



please. Would the member for Etobicoke West please come to order.

**Hon Mr Philip:** The member yesterday, like the member who has just asked the question, said it was contrary to the city of Toronto's official plan. In fact, it is completely compatible with the city of Toronto's official plan. It is in the new official plan that was passed by the city of Toronto.

With regard to the second question she asked, indeed the co-op will be evaluated on the criteria of the current Ontario non-profit housing program of the Ministry of Housing. There's nothing out of line on that. Discussions between the co-op and the ministry have been on an ongoing basis for three years now.

**Mrs Marland:** I would suggest to this minister that the next time he flies into the Toronto Island Airport in his executive jet, he takes a look at the altimeter in the aircraft. The Toronto Island Airport is about 18 feet above sea level.

It's wrong. We believe it's wrong to take limited waterfront parkland away from the residents of Metro Toronto. We believe it's foolish to build on a floodplain, and it's extremely expensive. Remedial steps will have to be taken to avoid flooded homes.

You'd think the province would have learned its lessons by now. In the Minister of Housing's backyard—who backed out of this question very nicely, I might say—just west of Ottawa on swamp land along the Carp River, a housing co-op needed \$500,000 in structural changes because it too was built on a site that floods.

There also has been no soil testing on the Toronto Islands site. I shouldn't have to remind any of the ministers across the floor that contaminated soil was the main reason the Minister of Housing walked away from Ataratiri, after spending \$350 million of taxpayers' money, nor should I have to remind the minister that soil contamination is one of the main reasons her government just wrote off \$29 million in loan guarantees in March.

Why have you not learned from the mistakes of your government? Why are you giving the Flying Toad co-op carte blanche to build on a floodplain that is parkland and to bypass all normal procedures for obtaining approvals?

**Hon Mr Philip:** With regard to her introductory comment, I do not have an executive jet, but I can tell you that her fishing boat has one heck of a leak in it as she goes towards the Toronto Islands.

This is not floodplain. It's not designated floodplain. It never has been. It wasn't under her government, it wasn't under the previous Liberal government, and it isn't under our government. Housing is designated on that site under the official plan. I suggest she read the legislation.

**Mrs Marland:** We find it passing strange that the lawyer for the Toronto Island Residential Community Trust Corp, Bruce Lewis, has also worked for Houselink, which is the subject of an investigation by the public accounts committee after it misspent millions of taxpayers' dollars. It's also interesting to us that Lewis's wife is the chief of staff for the Minister of Health.

It is also passing strange that the chair of the Toronto Island Residents Association, Grahame Beakhurst, was

executive assistant to the former Solicitor General, now minister without portfolio, who was assigned to Municipal Affairs.

In other words, NDP officials or people with direct links to the NDP are involved with social housing organizations that in one case engaged in questionable practices and in another is the object of government favouritism.

Minister, will you let us get to the bottom of this by opening up the whole process of funding and allocation of non-profit and cooperative housing units to an inquiry by the public accounts committee? If you're not afraid to do it and of what the results would tell us, just say: "Yes. I have nothing to hide. The public accounts committee can look at it."

**Hon Mr Philip:** I guess the honourable member, who is also the critic for the Ministry of Housing, doesn't understand that the public accounts committee is presently reviewing the housing policy and the non-profit housing policy of this government, and it has every right to do so.

With regard to her smear against Mr Lewis, Mr Lewis is one of the leading experts on land trusts in the province. He has been for the last 20 years.

**Mrs Marland:** A quarter of a million dollars in fees, when he said it would be \$18,000.

**Hon Mr Philip:** The member's eyes are popping again and she doesn't want to hear the answer.

**The Speaker:** The member for Mississauga South, please come to order.

**Hon Mr Philip:** Mr Lewis was not appointed by us, he was appointed and hired by the residents. We had nothing to do with that appointment.

**Mrs Marland:** All NDP hacks over there.

**Hon Mr Philip:** The member likes to rattle on and rattle on. She doesn't like to hear the truth.

I can tell you, Mr Speaker, Larry Grossman tried to save the island community; he failed. We got on with the job and we've done it.

**The Speaker:** New question, the honourable member for Renfrew North.

**Mrs Marland:** You saved the island for your friends and all your staff.

**The Speaker:** The member for Mississauga South, please come to order. The member for Renfrew North has the floor.

*Interjections.*

**The Speaker:** The member for Renfrew North, who's been waiting patiently, may now place his question.

**Mr Sean G. Conway (Renfrew North):** I appreciate that, because I wouldn't want the governor to think he's in Parliament.

1420

ROBIN SEARS

**Mr Sean G. Conway (Renfrew North):** My question is to the Premier, and it's about China. Premier, I see from your itinerary that you will shortly be winging your way to Beijing, Shanghai and Nanjing, to do good works,

I'm sure, and we wish you well in that endeavour.

I am informed, Premier, that your former chief of staff, a certain Robin Sears, who I gather has finally been terminated by the Ministry of Economic Development and Trade, has now been hired by an Ontario government agency, namely TVO, for the specific purpose of assisting with the Premier's visit to China upcoming in the next few days.

Can the Premier or anyone in his government confirm that Mr Robin Sears has in fact been hired by a government agency, which I believe is TVO? If that is the case, can he indicate what the terms and conditions of Mr Sears's new contract involve?

**Hon Bob Rae (Premier):** I can only say to the honourable member that Mr Sears's contract with the Ministry of Economic Development and Trade was concluded some time ago. As far as I am aware, he's not involved at this time in any particular plans with respect to my travels and my work. If he has been asked by any other agency to do any other work with respect to events in the Far East, I would be glad to look into it on behalf of the honourable member.

**Mr Conway:** I would appreciate that. I understand the Premier can't know everything, but it's my information, as of earlier today, that Mr Robin Sears, former chief of staff to the now Premier of Ontario, Mr Bob Rae, has been hired by TVO, a crown agency of Her Majesty's provincial government, and Mr Sears's specific task and assignment is to assist with the Premier's visit to China. I would appreciate an answer to my question at an early time, because I checked, and I'm told that TVO has a very capable international affairs office headed by Mr Bill Roberts, known to many of us as a very fine fellow, so there is built-in capacity at that crown agency to assist with this very kind of operation.

My question has been put, and my concern is that it appears that the Rae government wants to give the public service of Ontario a social contract but is determined to give and to offer Mr Robin Sears an endless contract. I think the public of Ontario would like to know the latest details of any late-breaking contract.

**Hon Mr Rae:** The only comment I would make is that it's worthwhile recalling that Mr Sears was first offered an appointment and in fact given a public appointment as the deputy agent general in Japan, residing in Tokyo, by the government of which the honourable member was a member. He must have been in the cabinet when that order in council was passed. He was in the cabinet when an order in council was passed for an appointment for Mr Sears, for which he was presumably there.

I would say to the honourable member that Mr Sears is in the Far East; we know that. He's no longer working directly for the Ministry of Economic Development and Trade. If there are other agencies, either in the public sector or the private sector, that have hired Mr Sears for whatever purposes, I'm not aware of all those contracts. But with respect to the particular question you've asked, I will certainly look into it and get back on it for the honourable member.

**The Speaker (Hon David Warner):** New question, the leader of the third party.

**Mr Conway:** If anybody wants to ask me about the original contract, I'd be very happy to give some answers.

**The Speaker:** The leader of the third party has the floor.

#### SOCIAL ASSISTANCE REFORM

**Mr Michael D. Harris (Nipissing):** My question is to the Premier. Premier, in 1982, during the height of a recession, with unemployment between 10% and 11%, welfare spending in Ontario was \$900 million. Welfare spending, all in, by the province of Ontario was \$900 million. Today, Premier, welfare spending has soared to \$6.8 billion.

Let's look at these past 12 years. Ontario's population in the past 12 years has increased by 28%, inflation rose by less than 60%, yet welfare costs to the taxpayer have increased by 631% through a succession of three different governments of three different parties. Can you explain why this has happened?

**Hon Bob Rae (Premier):** Well, it would take some time to go over the past history as I recall it. I recall a very strong public reaction to the fact that Ontario, in the period he has described, had probably among the lowest rates in Canada. There was deep concern, which led to the creation of a royal commission under then Judge George Thomson, which report was endorsed by well-known radicals like Conrad Black and others who agreed that there had to be changes with respect to the system. Those changes were introduced by the Liberal government of the day.

And it's true that during the period between 1983 or 1984, when the recovery out of the earlier recession started, and in 1990, costs went up rather than going down. They went up because the rate structure was increased to the point where Ontario now has the most generous welfare and social assistance support rates in the country.

I think most observers would agree that since 1990, the reason for the increase has been the fact that we've been through the most difficult recession the province has gone through in recent memory. In marked contrast to the recession in 1980, 1981, 1982, where you had temporary layoffs which were then followed by recall in a great many plants, in the 1989-92 recession you had a large number of plants which were closed for all time. We've lost a lot of jobs. We're now beginning to reclaim them and we're beginning to see them come down.

But I think most observers would feel it's a combination of the fact that through the 1980s rates were increased and through the 1990s we've been through a very significant recession which would by and large explain the fact that we now have a social assistance budget of somewhere over \$6 billion.

**Mr Harris:** I think the Premier would agree as well that welfare costs rose by 631% at a time when unemployment levels were just about the same as they are now. You've given some of the reasons: Some of it was more temporary, and there was more hope and more



future in the province. But the numbers of people on welfare went up dramatically during the middle 1980s, when we were booming, which really doesn't explain how that happened when more and more jobs were being created here in Ontario. There were increased eligibility, increased benefit levels, as the Premier's mentioned, but certainly, as we are finding out, increased fraud as well.

We tabled a plan last week, as you know, to restore hope and to restore opportunity and to create over 725,000 new jobs.

As well, this plan significantly reforms the welfare system. Cracking down on fraud, offering recipients training, education, work experience, bringing taxpayer benefit levels back into line with other provinces, will reduce welfare dependency. As well, this plan protects our most vulnerable—the seniors, disabled—and targets more resources to children.

Premier, you're moving a resolution today, which I treat very seriously and which is why I particularly wanted to be here today. The resolution says in part, "Ontario is committed to a major reform of our social security system." I'd like to ask you very directly: Is the resolution this afternoon simply political grandstanding, pointing fingers against the federal Liberals, or will you be announcing the major reforms, that have still not been implemented, of SARC and of Thomson and of poverty advocates and that are contained in our Common Sense Revolution? Will you move towards implementing those recommendations—

**The Speaker (Hon David Warner):** Would the leader complete his question, please.

**Mr Harris:** —in our social security system?

**Hon Mr Rae:** I welcome Rip Van Reagan back to the House. I say to the leader of the third party with great respect, if he's trying to get on the bandwagon of those people who are concerned about the poverty level in this province and he's saying to them that the answer is a \$2-billion cut in the standard of living of people who do not have work in this province, which is exactly what you're suggesting, then I say there really is no honour in the Conservative Party with respect to what it is doing or suggesting or saying.

1430

Yes, we support a thoroughgoing reform. That's what Jobs Ontario Training is all about. We've now got welfare levels down. The first time in modern, recent history that we have seen a decline in the number of people who are dependent on welfare was last month with the kind of work that we're doing in terms of Jobs Ontario Training.

Yes, we are taking steps to deal with the question of fraud. Where there is fraud and where there is clear evidence of that, it will and must be prosecuted and put to an end because that's how we retain the integrity of the system.

But do not cheapen the notion of this kind of reform which we are undertaking by assuming that it's similar to the kind of policies which are under way in many of the states in the United States. If that's the approach that you want to take, where, for example, in Michigan, all—

**The Speaker:** Will the Premier conclude his response, please.

**Hon Mr Rae:** —the employables are taken off any form of social assistance altogether, I tell you, you can take your revolution and stick it in your ear, because it's going to result in a decline in the standard of living for the people of this province and a decline in decency for the people of this province, and that's exactly what you're suggesting.

#### SHELTER FOR WOMEN

**Mrs Karen Haslam (Perth):** My question's directed to the Minister of Housing. I'd like to talk to the Minister of Housing about the Emily Murphy Centre second-stage residences which are in my riding and provide transitional housing and programs for battered women.

Families come to second-stage housing to be protected from abusive male partners. The families are staying an average of nine months, which, as you know, exceeds the six-month criteria for temporary or institutional accommodation, which is exempt from the Landlord and Tenant Act. So they are naturally concerned that their clients will now be able to stay indefinitely. I'm asking the minister, is this true?

**Hon Evelyn Gigantes (Minister of Housing):** It's a very good question and it's the question, in fact, which led us to put forward an amendment to Bill 120, which members will be aware of, and that is an amendment which says that there shall be an extra ground for eviction in the case of a program such as the one she is describing in her community, where the program lasts for less than two years. The nature of that extra ground for eviction is that once the program is complete, then the resident family may be asked to move, thus freeing up spaces for other people who will need the program.

**Mrs Haslam:** The other concern that this centre has is that when Bill 120 is enacted, it fears that it will no longer be able to control who can come into and who can live in the building. You can see the reason for this concern: They feel that under the Landlord and Tenant Act, the onus will be on the tenant to get rid of unwanted trespassers. This would be too difficult in many situations because the tenant may feel too intimidated or threatened by her abusive partner to ask him to leave the centre. Is there a control over who can come into the premises and who can live in this type of accommodation?

**Hon Ms Gigantes:** Indeed there is a control over who can live in the accommodation and that is governed by the nature of the program and the agreement by the woman, in this case, that she is going to be the tenant. In the case of an unwanted intruder, and this has been a problem which the programs are designed to address, an intruder who has threatened violence or is threatening intimidation or is in any way disturbing the reasonable enjoyment by other tenants of the program is one that the operator can have removed. We are going to work very hard, particularly with groups which are providing this kind of second-stage housing, to make sure the operators understand how they can continue their programs, with whatever assistance they may need in terms of help from us to make sure their programs are fixed and can operate in the future. There's no intention to change those programs.

## NORTHERN HEALTH TRAVEL GRANTS

**Mr David Ramsay (Timiskaming):** I have a question for the Minister of Health. Minister, the northern health travel grant program is in chaos. It's in chaos because you've changed the rules and you don't have the information to manage it. In fact, I would say it's close to collapse.

According to the new rules, to qualify for a grant northerners are referred to the closest, most appropriate physician. OHIP has a list of northern physicians available, but your data bank of northern doctors is sorely out of date. Hundreds of claims a week are being denied and then appealed because your records are inaccurate. Your records show doctors in the north who now practise in the south, have retired or practise in another specialty.

Minister, when will the doctors' referral list be made accurate so that claims can be processed smoothly and without all these needless appeals?

**Hon Ruth Grier (Minister of Health):** Just as soon as the ministry can bring it up to date, as I have requested it to do.

**Mr Ramsay:** Minister, I don't know why you would proceed then with rule changes with inaccurate information. I have the Thunder Bay list here: 80 doctors listed here and there are 33 mistakes on this list. It's tying up the whole system, and you said to go ahead with the changes.

In my riding Dr Dakin, an orthopaedic surgeon, left in January to now practise in Lindsay. He's still on the list and therefore all of the orthopaedic visits with other specialists are being denied all over the northeast. You're causing this turmoil with this list.

I would plead with you to get on with this list so we could stop these appeals and stop the hardship of people waiting for these claims.

**Hon Mrs Grier:** I very much agree with the member that it has been difficult. The changes in the northern health travel grant have meant not only people who have left and who have not informed the ministry or the ministry is not aware of, but also subspecialties, because an orthopaedic surgeon may want to refer for a subspecialty in that, and we're aware of that.

But I say to the honourable member, to remind him yet again, that doctors are free agents who move as they wish to do and who are not employees, though they are public servants, of the Ministry of Health. Therefore, if they do not choose to tell the program that they have in fact moved their practice or changed their mode of practice, it takes a while to catch up with that information.

As I indicated to him, we will do our best, and I certainly consider this a priority for the ministry.

## ARTS AND CULTURAL FUNDING

**Mr Charles Harnick (Willowdale):** My question is to the minister responsible for culture. Minister, there is a fund called the Ontario theatre development fund, and as I understand it, from every ticket sold at the Elgin-Winter Garden theatre, 50 cents is paid into the Ontario theatre development fund. My understanding, Minister, is that there is now approximately \$500,000 in that fund.

My understanding goes a little further, because I understand that you are now going to unilaterally, at your own behest, withdraw \$100,000 of those trust moneys to invest them into a play called *Nothing Sacred* by the playwright George Walker. It's a play that's several years old. He is a playwright who is not new to theatre. The spirit of this fund indicates that this is for new theatre development and for new playwrights.

Minister, is it true that you are about to pay \$100,000 out of that trust fund, contrary to the spirit of the theatre development trust fund?

**Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation):** We're certainly doing nothing contrary to the spirit of the development trust fund. In fact, we've just been going through, as you might know, a cultural industry sectoral strategy and we made sure to check the prospects of the use of that fund with the folks from the industry who have been on the cultural industry sectoral strategy, all of whom confirm our sense that this is a very good investment for developing in Canadian theatre.

1440

**Mr Harnick:** I understand from the Toronto Theatre Alliance, a major cultural group in live theatre in the province of Ontario, that there is absolutely no consultation going on; there is no vetting process of this application. Further, they tell me, Minister, that you are no longer even accepting applications for moneys being released from this fund until you see how your pet project is going to work. They tell me that the spirit of this trust fund is that it is at arm's length from the minister, that it is operated by the Ontario Heritage Foundation, and that any moneys released will be released after vetting with the whole of the theatre community, particularly commercial theatre. They tell me that it is not to be used by the minister for payments to projects that are special to her heart, and I understand that's why you're releasing this money and that there has been no vetting process.

I would like the minister now to commit herself to not paying this money, to say so publicly, and to leave it to those people who were engaged to make these decisions to in fact make the decision as to where this \$500,000 is to be allocated. Will you do that, Minister?

**Hon Ms Swarbrick:** Through the cultural industry sectoral strategy, I expect to receive recommendations as to the future use of the theatre development fund. However, with regard to this one opportunity, which it seems to us is a tremendous investment opportunity, all of the appropriate people—

**Mr Harnick:** Opportunity? It's an old dog of a play.

**Mr Ernie L. Eves (Parry Sound):** I'm scooping a hundred grand.

**Mr Harnick:** I'm scooping a hundred grand to do whatever I want with it.

**The Speaker (Hon David Warner):** Order.

**Hon Ms Swarbrick:** Mr Speaker, if the member would like an answer, then I'll answer.

All of the appropriate people have been checked with, including the Ontario Heritage Foundation, as well as the cultural industry sectoral strategy—



**Mr Harnick:** Well, that's you, the Ontario Heritage Foundation.

**The Speaker:** The member for Willowdale, please come to order.

**Hon Ms Swarbrick:** Mr Speaker, he obviously isn't interested.

**The Speaker:** Had the minister completed her answer?

**Hon Ms Swarbrick:** As long as the member wants to listen to the answer, I'm interested in completing it.

All of the appropriate people have been checked with, from the heritage fund, from the cultural industry sectoral strategy etc, and it seems to us this is a good—

**Mr Harnick:** Those are all of the people in the ministry. What about the theatre people?

**The Speaker:** Order. The member for Willowdale, please come to order.

**Hon Ms Swarbrick:** Mr Speaker, I give up.

**The Speaker:** The member asked a very serious question. Perhaps he would allow the minister to complete her answer—and very quickly, please, if there is more to add.

**Hon Ms Swarbrick:** It's a pilot investment that seems to us a very wise investment on behalf of the people of Ontario. There is no money at risk. It is very sound and it does promise to help to develop the theatre community in this province.

**Mr Harnick:** It's a fraudulent investment and it's contrary to the act.

**The Speaker:** Order.

#### LONG-TERM CARE

**Mrs Irene Mathyssen (Middlesex):** My question is to the Minister of Health and it's in regard to some concerns that I've heard from constituents who are residents of long-term care facilities. I have heard, Minister, as I'm sure many in this House have, from residents of homes for the aged that they're worried about the ministry's leave-of-absence policy.

I understand that the current policy under Bill 101 allows residents to be absent from the facility for 14 days per year. Unfortunately, Minister, many of my constituents have told me that 14 days is just not enough time for them when they wish to vacation with friends and spend some time on a holiday.

I understand that your ministry can't afford to have accommodations open for residents who are indefinitely away, but I wonder what kind of steps you've taken in terms of meeting the needs of these seniors who must be or wish to be away for longer than 14 days.

**Hon Ruth Grier (Minister of Health):** I thank the member for raising this issue because I know it is one that many of my colleagues have raised with me, and that under Bill 101 the 14 days' leave from nursing homes or homes for the aged was seen by many residents to be insufficient.

I'm glad to be able to tell the member that what we have done under Bill 101 is both resolve the inconsistency that used to exist between nursing homes and homes

for the aged to ensure that all residents receive the same number of leave days, but also that we have increased the number of vacation days per year from 14 to 21. In addition, the number of medical leave days has been extended from 14 to 21. Both of these are in response to concerns that have been raised by residents and this new regulation will allow residents much greater flexibility, both in their vacation planning and in their medical treatment.

**Mrs Mathyssen:** I'm glad to hear that, and I'm also glad to hear that the leave is extended to 21 days for medical purposes. But what happens, then, to residents who have to be in hospital, for example, for more than 21 days?

**Hon Mrs Grier:** If in fact it is medically required that the resident be in hospital for longer than 21 days, that will be accommodated. I should also say to the member that we have written to all the residents of homes for the aged and nursing homes in order to inform them of this change in policy.

I should also say that with the new placement coordination services which as of July 1 will be in place everywhere in this province as part of our expansion of long-term care, there will be an enormous improvement over the current system. So a resident who perhaps is seeking a place or has lost their place because they've been away for longer than the 21 days on vacation will now have a placement coordination service in their community that will ensure that they have the kind of accommodation they need as quickly as they can.

#### EMERGENCY SERVICES

**Mr Frank Mclash (Kenora):** My question too is to the Minister of Health. During my post-budget meetings around the riding of Kenora a good number of questions were raised regarding your government's budget document. Of particular interest to the residents of the Red Lake area was the Minister of Finance's statement on page 12, "Ontario's health care system is meeting the challenges, providing excellent care to all Ontarians on an equal basis."

There are still no emergency services in Red Lake. This document says "excellent care to all Ontarians on an equal basis." I say, hogwash.

Minister, I ask you, do you agree that all Ontarians are receiving health care on an equal basis? If so, maybe you can explain to the folks in places like Red Lake, Barry's Bay, Dryden, Kenora and other rural communities exactly what you and the NDP mean by "on an equal basis." I have both the mayor of Dryden and the mayor of Kenora in the gallery, waiting for that answer.

**Hon Ruth Grier (Minister of Health):** I'm well aware of the presence in the gallery of the mayor of Dryden and the mayor of Kenora and look forward to meeting with them later, as do my other cabinet colleagues, in order to address a number of issues in the north, of which the improvement of medical care and health care has been a very real priority for this government and in which direction great strides have been taken.

Let me say to the member that the provision of

emergency services is a very difficult one and one that will only be solved by cooperative work between the Ontario Medical Association, the Ontario Hospital Association and this ministry. It is not within the power of this ministry to order a physician to practise in this province somewhere that the physician does not want to practise.

It is the responsibility of this ministry to make sure the infrastructure is there and to make sure the funding is there. We do not tell the doctors where to go, much though I might like to do so on many occasions.

**The Speaker (Hon David Warner):** The time for oral questions has expired.

**Mr Gerry Phillips (Scarborough-Agincourt):** On a point of order, Mr Speaker: I want to, under I think it's standing order 34(a), indicate my dissatisfaction with an earlier answer from the Premier and indicate also, I might say, that I've had detailed discussions with ministry officials that indicate that the information I conveyed to the House is correct and that the information the Premier conveyed to the House is incorrect. If the only recourse I have to get at the truth of the matter is through what's called standing order 34(a), I do want to indicate my dissatisfaction with the answer of the Premier and indicate I'm filing that.

**The Speaker:** I trust that the honourable member will file the necessary document with the table.

#### PETITIONS

##### EDUCATION FINANCING

**Ms Dianne Poole (Eglinton):** I have a number of petitions from constituents in my riding which I would like to read into the record.

"To the Legislative Assembly of Ontario:

"Whereas the British North America Act of 1867 supports the right of Catholic students to a Catholic education, and the province of Ontario supports two educational systems from kindergarten to grade 12/OAC; and

"Whereas the Metropolitan Separate School Board educates more than 103,000 students across Metropolitan Toronto; and

"Whereas this is equivalent to 30% of all the students in the area; and

"Whereas the Metropolitan Separate School Board is expected to provide the same programs and services to its public school counterpart and must do so by receiving \$1,822 less for each elementary student and \$2,542 less per secondary school student, based on 1993 estimates;

"We, the undersigned, petition the Legislative Assembly of Ontario to act now to ensure that Ontario's two principal education systems are funded fully and equally."

I have affixed my signature.

1450

##### FIREARMS SAFETY

**Mr Noble Villeneuve (S-D-G & East Grenville):** I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to the Ministry of the Solicitor General's decision on the

firearms acquisition certificate course and examination; and

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or have hunted for years; and

"Whereas we believe that we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Amend your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

This is signed by many constituents and I have added my signature to the petition.

**Ms Jenny Carter (Peterborough):** I have a petition to the Legislative Assembly of Ontario, worded as the one which was just read into the record and which concludes:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Amend your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

##### KETTLE ISLAND BRIDGE

**Mr Gilles E. Morin (Carleton East):** "To the Parliament of Ontario:

"Whereas the government of Ontario has representation on JACPAT (Joint Administrative Committee on Planning and Transportation for the National Capital Region); and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island, which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of citizens in the Ottawa region, have passed motions rejecting any new bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or at any other location within the city of Ottawa core."

I will affix my signature to the petition.

##### JUNIOR KINDERGARTEN

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the previous provincial Liberal government of David Peterson announced its intention in its budget of 1989 of requiring all school boards to provide junior kindergarten; and



"Whereas the provincial NDP government is continuing the Liberal policy of requiring school boards in Ontario to phase in junior kindergarten; and

"Whereas the government is downloading expensive programs like junior kindergarten on to local boards, while not providing boards with the funding required to undertake these programs; and

"Whereas the Wellington County Board of Education estimates that the operating costs of junior kindergarten will be at least \$4.5 million per year; and

"Whereas mandatory junior kindergarten programs will force boards to cut other important programs or raise taxes; and

"Whereas taxes in Ontario are already far too high;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government of Ontario cancel its policy of forcing junior kindergarten on to local school boards."

It's signed by quite a number of my constituents and it's part of our commonsense agenda.

#### TAXATION

**Mr Rosario Marchese (Fort York):** I have a petition that's been signed by approximately 200 people, primarily in the west end of Toronto. The petition reads as follows:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We insist that the provincial government take immediate steps to implement the recommendations of the Fair Tax Commission. Specifically, we wish to see the removal of the education portion from residential property taxes and the replacement of market value assessment with a unit assessment system."

I affix my signature to that.

#### MENTAL HEALTH SERVICES

**Mr Tony Ruprecht (Parkdale):** I keep getting petitions on the 20-bed jail from the area of Fort York. Of course, it's very near Parkdale. The petition reads:

"To the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the NDP government is hell-bent on establishing a 20-bed forensic facility for the criminally insane at the Queen Street Mental Health Centre; and

"Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social service organizations in hundreds of licensed and unlicensed rooming-houses, group homes and crisis care facilities in all of Canada; and

"Whereas there are other neighbourhoods where the criminally insane could be assessed and treated; and

"Whereas no one was consulted—not the local residents and business community; not leaders of community organizations; not education and child care providers and not even the NDP member of provincial Parliament for Fort York;

"We, the undersigned residents and business owners of

our community, urge the NDP government of Ontario to immediately stop all plans to accommodate the criminally insane in an expanded Queen Street Mental Health Centre until a public consultation process is completed."

I affix my signature under this petition.

#### FIREARMS SAFETY

**Mr Allan K. McLean (Simcoe East):** I have a petition that says:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"I/we, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearm owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

That's got 57 signatures on it from Orillia, Severn Bridge, Brechin, Oro, Phelpsston, Minesing and Hawkestone, and I have affixed my name to it.

#### EMERGENCY SERVICES

**Mrs Irene Mathyssen (Middlesex):** Once again I have a petition from Middlesex constituents who utilize emergency services at Four Counties General Hospital in Newbury. Approximately 16,000 people in the Four Counties area rely upon the services of the Newbury hospital and they petition the Legislative Assembly as follows:

"To call upon the Ministry of Health and the Ontario Medical Association to resolve the issue of emergency medical coverage in rural emergency departments and to ensure that all rural residents have the adequate emergency care to which they are entitled."

I have signed my name to this petition.

#### CASINO GAMBLING

**Mr James J. Bradley (St Catharines):** I have a petition that was provided by Otto and Elaine Roman on behalf of people in Niagara Falls. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the issue of legalized gambling is a sensitive and controversial issue; and

"Whereas this government has said it will not put a casino anywhere there is not overwhelming support, according to a written statement by NDP MPP Margaret Harrington of Niagara Falls, presented at the September 2, 1993, public hearings of the standing committee on finance and economic affairs regarding Bill 8; and

"Whereas we believe that the city council of Niagara Falls, Ontario, has not received a mandate to introduce

casino gambling from the people of Niagara Falls at the last municipal election;

"We, the undersigned, petition the Legislative Assembly as follows:

"We, the undersigned, who are opposed to casino gambling, request that the Legislative Assembly of Ontario not allow the city of Niagara Falls to become a candidate for a gambling casino unless there is broad-based public support for such a facility, which we are requesting to be determined through a referendum vote by the citizens of Niagara Falls."

#### LANDFILL

**Mr David Tilson (Dufferin-Peel):** I have a petition of 544 signatures addressed to the Legislative Assembly of Ontario:

"Whereas the recent announcement by the NDP government to choose three superdumps within the greater Toronto area has disturbed and upset local residents; and

"Whereas these superdumps might have been prevented if Bill 143 had allowed the Interim Waste Authority to look at all alternatives during the site selection process; and

"Whereas we would like to ensure the province of Ontario is making the best decision based on all the facts regarding incineration and long rail-haul and garbage management;

"We demand the NDP government of Ontario repeal Bill 143, disband the IWA and place a moratorium on the process of finding a landfill to serve all of the greater Toronto area until all alternatives can be properly studied and debated."

I support this petition and I'm signing it.

1500

#### EDUCATION FINANCING

**Mr Stephen Owens (Scarborough Centre):** On behalf of the parents, teachers and students at St Theresa school in my riding, I'd like to present the following petition:

"Whereas the British North America Act of 1867 recognizes the right of Catholic students to a Catholic education and, in keeping with this, the province of Ontario supports two educational systems from kindergarten to grade 12/OAC; and

"Whereas the Metropolitan Separate School Board is able to spend \$2,188 less on each of its elementary school students and \$2,764 less on its secondary school students than our public school counterpart;

"We, the undersigned, petition the Legislative Assembly of Ontario to act now and restructure the way in which municipal and provincial tax dollars are apportioned so that Ontario's two principal education systems are funded not only fully, but with equity and equality."

I affix my signature of support.

#### FIREARMS SAFETY

**Mr David Ramsay (Timiskaming):** "To the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuous-

ly objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the Ontario Federation of Anglers and Hunters advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"I/We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I've affixed my signature to this.

**Mr Ernie L. Eves (Parry Sound):** I too have a similar petition, in addition to the hundreds that I've introduced before.

"To the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I have affixed my signature thereto.

#### TOBACCO PACKAGING

**Mr Gary Wilson (Kingston and The Islands):** I have a petition to the Legislative Assembly of Ontario in support of plain packaging of tobacco products:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains a provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and



"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces rather than act on its own to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public;

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

That's signed by approximately 70 people in my area, and I attach my signature to this petition.

#### EMBALLAGE DES PRODUITS DE TABAC

**M. Jean Poirier (Prescott et Russell) :** J'ai ici une pétition signée par 33 employés du bureau de l'édifice Harden à Hawkesbury, et qui est indiquée de cette façon-ci :

«Nous, les soussignés, désirons adresser une pétition à l'Assemblée législative de l'Ontario comme suit :

«Que le gouvernement de l'Ontario continue d'influencer et de travailler avec le gouvernement du Canada dans le but d'introduire et de mettre en vigueur une législation favorisant l'emballage sobre des produits de tabac à l'échelle nationale.»

J'ai les 33 signatures, et bien sûr j'y ai apposé ma propre signature et j'appuie pleinement cette pétition.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE

##### ON REGULATIONS AND PRIVATE BILLS

Ms Haec from the standing committee on regulations and private bills presented the committee's report and moved its adoption:

Your committee begs to report the following bills, without amendment:

Bill Pr100, An Act respecting Ontario Southland Railway Inc.

Bill Pr105, An Act respecting the Township of Tay.

Your committee begs to report the following bills as amended:

Bill Pr109, An Act respecting the County of Dufferin.

Bill Pr114, An Act respecting Hamilton Community Foundation.

**The Speaker (Hon David Warner):** Shall the report be received and adopted? Agreed.

#### INTRODUCTION OF BILLS

##### WORDZ PROCESSING CORPORATION LTD. ACT, 1994

On motion by Mr Kwinter, the following bill was given first reading:

Bill Pr90, An Act to revive Wordz Processing Corporation Ltd.

##### INSTITUTE FOR ADVANCED TALMUDIC STUDY ACT, 1994

On motion by Mr Harnick, the following bill was given first reading:

Bill Pr92, An Act to revive Institute for Advanced Talmudic Study.

#### ORDERS OF THE DAY

**Hon Brian A. Charlton (Government House Leader):** Just before I call the first order, I believe the three parties have reached an agreement that we will split the time on the debate this afternoon, that the vote will occur at 6 o'clock and that the bell will be limited to 10 minutes.

**The Speaker (Hon David Warner):** Is that agreed? Agreed.

#### SOCIAL AND LABOUR MARKET REFORM

##### RÉFORME SOCIALE ET DU MARCHÉ DU TRAVAIL

Mr Rae moved government notice of motion number 27:

This House resolves as follows:

That Ontario is committed to a major reform of our social security system.

But this House believes that unilateral changes to Canada's network of social programs, most of which are matters either of exclusive provincial jurisdiction or are under shared federal-provincial jurisdiction, are not compatible with cooperative federalism.

Further, this House accepts, on behalf of the people of Ontario, the responsibility under the equalization program, as set out in section 36(2) of the Constitution Act of Canada, to share our wealth with other Canadians. But we insist upon the right of Ontarians to a fair share of federal expenditure, which residents of Ontario do not now receive.

Therefore this House insists that the process of reform for Canada's social and labour market programs must be based on the following five principles:

(1) Ontario supports the need for change and improvement in our social programs and in the fiscal and practical arrangements between the two levels of government. This reform should focus upon work, training, and the needs of children.

(2) There must be no fiscal offloading from the federal government to the provinces.

(3) There must be no discriminatory treatment against Canadians living in Ontario, and the existing discrimination must stop.

(4) Any reform must reinforce, and not undermine, Canada's record as a compassionate society.

(5) Any reform must be the product of genuine federal-provincial negotiations, and joint decision-making, and not the result of unilateral federal action.

1510

**Hon Bob Rae (Premier and Minister of Intergovernmental Affairs):** I appreciate the chance to be in the House today and to share with members the reasons for our moving the resolution at this time. As members of the House will know, this question is very much upon us not simply as a result of decisions that have been taken by the federal government, but for a variety of reasons that I think are becoming increasingly clear to the citizens of Canada and to the people of Ontario.

The first reason is that it is a fact that over the last number of years, it has become obvious to everyone that there are a number of programs that are operating both at the federal level and at the provincial level which involve very substantial expenditures of money, which involve huge investments by both the people of Ontario and the people of Canada, and that those programs need to be reviewed and need to be brought together in order to allow us to make sure the programs are more effective and are run more effectively and run more efficiently, to make sure that there is greater cooperation between the federal government and the provincial governments, and I would argue as well between the provincial governments and the municipalities, and in order to make sure that in fact we regain our focus on the critical reason for the existence of these programs.

We spend tens of billions on support for seniors. We spend tens of billions on support for our health care programs. We spend tens of billions on unemployment insurance. We spend tens of billions on social assistance programs across the country, and indeed in all of the provinces. We spend tens of billions on education and training, and I think the people of Canada are entitled to know that their governments are collectively engaged in a process of serious, steady, focused review to ensure that the programs in fact meet the needs of the 1990s and meet the needs of the 21st century.

Looking at the elements of the resolution, which I believe it should be possible for all members of the House to support, because I think they reflect the common sense of the province, if I may be allowed to borrow that expression, in Ontario, first of all, we are committed, I think we must be committed to a major reform of our social security system.

To those who would say that the answer to our current problems is simply to maintain all funding of all the programs at all the current levels and in fact increase that funding, and that there is nothing fundamentally wrong with the social safety net that more money won't simply solve, I don't think that view can withstand a serious analysis, for two reasons.

First of all, we only have to look around us, look at the experience of the countries of Europe, look around us in terms of the experiences of countries around the world. We are in a sense, all of us together, having to recognize that there are elements in the current programs which do not do the job that needs to be done, and I'll come back to this point in a moment.

That, it seems to me, is important for us to stress. If there's not enough emphasis on work, if there's not enough emphasis on children and on the future generation, if there's not enough emphasis on making sure that we're providing people with the skills and with the abilities that are required in order to be able to work in this century and into the next century, and if that's true of the programs that we have, and I believe it is true of these programs, then they need to be reformed and changed.

The second reality is that those who would argue that there's a fundamental need for a huge growth or for a huge expansion of social spending I think have got to

come to terms with the overall fiscal and financial situation in the country, and indeed in our own province.

I'm going to try today to speak in as consensual a way as I possibly can because I happen to believe that if you look at this resolution in terms of what it says, as I say, I do believe that it can reflect the common feelings and views of all the members of the House.

I don't think that it's in Ontario's interests, collectively, in the interests of this Legislative Assembly, for us to give carte blanche to the federal level of government to do whatever it wants with a set of programs which in fact are paid for by the taxpayers of Ontario and in fact have a major impact in terms of the people of this province.

So the second part of the resolution says, "...unilateral changes to Canada's network of social programs...are not compatible with cooperative federalism." I don't see how anyone could object to that phrase.

I know the member for York-Mackenzie is going to be speaking in this debate. He's someone for whom I have a great deal of respect, and if I may even be permitted to say, a great deal of affection as well. I know he will be speaking in this debate and I don't know what he's going to be saying, but I'm sure he's going to be very constructive in the comments he makes.

He and I both know the philosophy of cooperative federalism was in fact the philosophy which produced the Pearsonian agenda, which was adopted by the country in the 1960s. We have to recognize that it was a process of give and take and a lot of goodwill established between federal and provincial governments between 1962 and 1968, 1970, which in fact allowed for the creation of the Canada assistance plan, allowed for the establishment of the medicare program, allowed for the introduction of the Canada pension plan, allowed for the introduction of programs federally and provincially, allowed for the federal funding of apprenticeship programs in Ontario, allowed for the expansion of our system of community colleges in the 1960s, allowed for the expansion of the university system in the province of Ontario.

It really was a remarkable era, the era between 1960 and 1970. It produced some remarkable cooperation between levels of government, which isn't to say that there weren't differences of opinion, but it is to say that there was a strong philosophy in place which said that yes, there has to be some agreement, there has to be some understanding with respect to the cooperation that's going to be required.

The federal government can't run education. The federal government can't suddenly interfere in a number of areas that have long been areas of responsibility that are clearly constitutionally defined. At the same time we have to find the imagination to go beyond some of these boundaries and look hard at what needs to be done and what can be done.

Further, the resolution says Ontario accepts our obligations under equalization. Equalization is fundamental to the fabric of the Constitution, it's fundamental to the fabric of the country and we accept it. But it's important for us to stress as Ontarians that we should not be asked to take on that sense of responsibility, which we



do, without in return receiving a fair share of federal expenditure.

This issue has come to the fore, and I don't mind saying that yes, it is something about which I personally feel quite strongly, that when the federal government decided in its wisdom that it would cut back unilaterally, particularly in the area of social assistance, it had a major and devastating effect on the people of this province.

I know that whenever a Premier says this, you're always accused of simply trying to pass on blame. But I want to remind the honourable member, he was the minister at the time when that decision was taken to cap the transfers. I think if he was being completely candid with members of the House, he would say that he had no idea, and indeed I don't think the federal government had any idea, the consequence of the recession would be such a dramatic increase in the cost of social assistance in Ontario. I dare say that if we had known then what we know now, there would have been a much stronger collective sense of genuine outrage on the part of Ontarians that we were being affected in this way.

We tried to take the federal government to court. That was not successful. We had the support at one level, the Court of Appeal in the province of British Columbia, but we were not successful in the Supreme Court of Canada. So we are faced with the grim reality that under the current arrangements, the federal government apparently has the ability to unilaterally change what were cofunded programs and to turn them into programs in which our costs continue to rise, the burden on us in terms of borrowing and in terms of taxes continues to rise, but we do not have the support and the sustenance of the federal government which we believe we deserve and we think the citizens of this province deserve.

I don't say this in any mean-spirited way. I say it as a fact of life with respect to the restructuring which has been under way in the country for some time, the complete change in our economy which has been taking place over the last 10 or 15 years and in fact the need for that kind of rethink to take place, but not directly at our expense.

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I would say to the honourable member and I would say to members of the House, if the federal government persists on this path, I think it is a grim political reality that the political will in this province to continue to support equalization will diminish. I don't say that as a threat, I don't say it because I would personally support it, but I say it as a fundamental fact of life about people.

If you continue to hammer away and not provide them with a sense of fairness and with a sense of support, then I would suggest you are going to see emerge in this province a sense of: "Why should we be transferring all this money elsewhere? Why should we be seeing the transfer payments go up at a time of economic difficulty in different provinces when we in fact don't see a similar respect and a similar understanding of our situation here?"

Therefore, as we hear different plans being put forward—it's only natural, I think, in the early days of a

government that there's considerable debate and considerable division of opinion obviously within the federal cabinet as to what needs to be done. That's only natural. We've obviously all participated in some of these discussions and we recognize that these subjects are not easy—I do want to emphasize that it is extremely important now for this province to speak clearly and to have a good debate and a good discussion about the kind of social assistance reforms we could support. I think we should be discussing in the House what our next stages are in terms of consultation and discussion within the House about the process that may well be undertaken by the federal government.

I should say it's still unclear to me as to whether what the federal government in fact is about to propose is a major change of federal and provincial programs or whether what it is about to propose is more modest, simply a change in some federal programs, to which obviously we could not object in the sense of its right to make these changes, but if they negatively impact the province of Ontario in comparison with other parts of the country, then I think we do have a case.

I've often quoted the three questions from Rabbi Hillel in this House and other debates and I've often used the three questions as a basis for what I want to say. I think the questions are quite apropos even as I speak. I'm sure members will have heard these three questions from me before, so they'll forgive me for repeating myself.

The first question from Rabbi Hillel is, "If I am not for myself, then who is for me?" I know there have been those in this House and elsewhere who've been critical of this government and critical of me because I have undertaken to speak on behalf of the province's regional and the province's collective interests. I would say with great respect to the members of the House, the day when the Premier of Ontario has to apologize for speaking on behalf of the people of this province will be a very sad day indeed.

This province has an interest. We are nearly 11 million people at the heart of the Canadian federation. It is not reasonable or fair for others to expect that we will bite our tongue, never have anything to say on behalf of our own interests, let every other region and every other part of the country be vociferous and articulate and very clear in terms of its interests, but that Ontario's position will always be, "No, no, no, we mustn't say anything to upset anyone; we must simply carry on as if everything was hunky-dory." Everything is not hunky-dory, and I think it is critical for us to remember that first question of Rabbi Hillel.

Who else will speak for the province of Ontario if not the government and indeed the Legislative Assembly by means of this resolution? There is nothing wrong with the Legislative Assembly of this province taking a position, taking a view, expressing itself, letting the world know that we don't think the current arrangements are working very well and we believe they should be changed, and yes, we think some of these arrangements are working at the expense of the people of Ontario and we want those arrangements to be changed. I see nothing wrong with that. In fact, I see everything good in our saying that.

Rabbi Hillel's second question also poses an interesting question for all of us, and that is, "If I am only for myself, then what am I?" It will never be good enough for Ontario or for the Premier or whoever else is representing Ontario to go into a negotiation and say: "I'm in this for myself. I don't care about anyone else." Canada was not built on that premise. The country came together in 1867 because people decided they would overlook or overcome or absorb their regional interest and try to include it in some broader concern, and that is what I think we are striving to do in this negotiation.

We support the need for change and improvement in our social programs and in the fiscal and practical arrangements of the two levels of government, and we believe the reform should focus upon work, training and the needs of children.

I'm very conscious of the fact that today there are people who have come to this province, to the provincial Legislature, to say, "This government should be doing more in terms of issues of child poverty." I was asked outside how I felt about it, and I said: "Of course we could be doing more. By definition, we could be doing more."

The question is, we can only do more if we have a combined resolve of both levels of government that we will in fact do it together. It is not financially or fiscally possible for the government of Ontario to commit itself to a broad set of reforms which, frankly—the bill will come due, and when the bill comes due, I want to make sure we've got somebody there with us at the table willing to be a partner and not some absconding debtor who says: "Well, that was your idea. You pay for it."

That has got to be a fundamental principle. There must be no fiscal offloading from the federal government to the provinces. There must be no discriminatory treatment against Canadians living in Ontario, and the existing discrimination must stop. Any reform must reinforce and not undermine our record as a compassionate society and it must be the product of genuine negotiations and joint decision-making.

Face aux critiques qui viennent des rangs du Parti libéral, je veux dire tout à fait franchement à la province que oui, nous sommes engagés dans un processus de négociations et de changements. J'offre toujours clairement aux gens un sens que nous avons besoin de changer les programmes, de réformer les programmes, d'améliorer les programmes, mais nous devons le faire avec un sens de justice, avec un sens de compassion et avec un sens de nos obligations envers nos concitoyens canadiens à travers le pays.

Oui, c'est vrai que, comme chef de notre gouvernement et comme premier ministre de notre province, je parle naturellement pour les intérêts de l'Ontario ; c'est pourquoi je suis ici. S'il y avait quelqu'un d'autre, du Parti libéral ou du Parti réformiste, venant ici pour expliquer leur position, naturellement il serait inévitable que de telles gens aient l'obligation de parler pour les intérêts de notre province.

Ce n'est rien de personnel ; ça vient avec la job. C'est l'important. Mais lorsque nous défendons les intérêts de l'Ontario, comme M. Johnson défend les intérêts de la

province de Québec, nous avons aussi une obligation de savoir et de reconnaître dans notre travail que lorsque nous partageons un intérêt en commun et lorsque la réforme sociale est une réforme que nous partageons ensemble — on est toujours Canadiens et nous partageons cette citoyenneté canadienne — nous avons une obligation de travailler ensemble et de penser à la situation dans les autres provinces et dans les autres régions du pays, et c'est ce que nous faisons.

The third question from Rabbi Hillel, and it's a question that I can say not only on this issue but on other issues I've been forced to ask myself very directly, was, "If not now, when?" I think there's a sense in the country that this is in fact the moment when things need to be done and can be done, and we are committed to doing them.

Ontario wants to be a constructive, positive, effective partner in this process of federal-provincial reform. We want very much to have a process that will work and to have a result that will succeed. We look for ways and signals and signs from the federal government that will give us the assurance that in fact we can work on these programs together; that there is an understanding of our common fiscal and financial dilemmas; that there is a common understanding of a desire to improve training, return to work, and the needs of kids; and that this is an agenda which all of us can accept as we seek as well to continue to support the social assistance programs, the health care programs, all the programs that are in place across the province and across Canada.

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It's going to be a major challenge. I would say to honourable members, it's going to take time. It will not be accomplished in a week, it will not be accomplished in a few months, it will not even be accomplished in a year. Whatever may happen in elections, I can tell members that these issues will be before this House, and collectively we will have to find ways to come to terms with the changes which are going to be upon us.

To conclude, it is not enough for us to simply say that we have to preserve the past, or that we have to leave frozen for all time the changes that were made by the Pearsonian generation of the 1960s. In fact, we have to reinvent many of these programs. We have to improve them, we have to rework them, and we have to share a common commitment to doing that together.

I believe the resolution we have put forward should provide a consensual basis upon which we can move, recognizing that there will be partisan differences from time to time but that by and large we should be striving to speak with one voice as Ontarians as we seek to affirm the need for reform, the rights of this province in that process, the rights of all provinces in that process, and the need for us to work constructively together as members of the Legislature and as Canadians in this process of reform.

**The Acting Speaker (Mr Noble Villeneuve):** I wish to thank the Premier for initiating debate. Further debate?

**Mr Murray J. Elston (Bruce):** On a point of order, Mr Speaker: I understand that there are important engage-



ments, but as this resolution is indeed particularly important, I would expect that the Premier could listen to at least the lead-off speakers of each of the parties. Okay, he has now indicated he will come back. I appreciate that.

**The Acting Speaker:** That's not a point of order. The member for York-MacKenzie.

**Mr Charles Beer (York-Mackenzie):** I'm pleased to rise. I should indicate that one of the problems for many members is the way this debate was brought forward, in terms of the notice that was given for people to plan and be able to be here. On something as important as this—and, I would add, a motion we will be supporting—it is important that we have that fair notice.

Let me begin by saying that we have added, to the lexicon of constitutional experts in Canada, Rabbi Hillel. I didn't realize he had also written on these issues. Some people may have wondered if the answer to his third question, "If not now, when?" referred to elections as opposed to other issues, but we'll let that one pass.

Let me just begin by saying to the Premier and to all members opposite that as representatives of the province in this Legislature, of course we have a duty and a responsibility to represent the interests of this province. That is something which, whether we are talking about former premiers Robarts, Davis, Peterson, or indeed the present Premier, is always front and centre. We are elected to Queen's Park; we are elected to represent those interests.

But what we also need to recognize, particularly here in Ontario, is our sense of commitment to the country of which we are a part and of which we are so proud, and that is Canada. There is nothing that conflicts between those two loyalties. We can do both, and we can do them both at the same time.

What has been of real concern over the course of the last number of weeks and months is that, while not today in his remarks but in other places, the Premier has tried, in our view, to create an issue that doesn't exist. If you look at what the federal government has been saying in terms of sitting down and negotiating change, not only in terms of social security but in terms of health and education, what you see is a government that wants to do just that. They want to sit down and look at the systems we have, that we all recognize are no longer meeting the needs we have in this country. That has been the significant change that's occurred over the course of the last four or five years, that all of those programs and our ways of approaching entitlements, our way of approaching the funding of our education system, of our social security system, of our health care system, have changed.

What we all have to recognize equally in this House and in Ottawa is that the citizens of Ontario, as indeed the citizens throughout the country, are sick and tired of what they see as federal-provincial bickering which forgets that at the end of the day we're talking about the same taxpayer. It is the same person who is paying taxes to Ottawa, to Queen's Park, who is funding the various programs that as a society we say are important and that we want to maintain.

When the Premier reads out in his motion the principles behind it, the kinds of things we want to see maintained in our broad social security system, most Ontarians, most Canadians, would agree with that. The question is, how do we go about doing it? What are the things we need to put in place? Clearly, one of them, and one of the things Canadians are saying, is, stop the bickering and sit down and work collectively together.

Il est très important qu'on souligne pour le premier ministre aujourd'hui l'importance pour l'Ontario pas simplement de dire que nous devons protéger nos propres intérêts provinciaux, mais aussi, et surtout en ce temps, avec ce qui se passe maintenant au Québec, avec les élections qui s'en viennent, qu'ici en Ontario nous allons aussi parler au nom du Canada, parce que les Ontariens et parce que la province ont toujours défendu les droits de nos citoyens comme Canadiens, forts et entiers.

Donc, il y a un besoin un peu comme dans la période des années 60, et le premier ministre a parlé des années 60, quand M. Robarts, le premier ministre du Parti progressiste-conservateur, et M. Pearson, le premier ministre libéral du Canada, ont travaillé ensemble, des fois avec des arguments, des querelles, bien sûr. Mais à part ça, ces deux leaders-là se sont dits : «Écoutez, on a une crise nationale. Il y a l'avenir du pays qui est en question. Donc, il est très important que nous travaillions ensemble.»

Je pense que pour nous en Ontario, avec le premier ministre d'aujourd'hui, il est important que lui et M. Chrétien, le premier ministre du Canada, travaillent ensemble en créant, si on veut, l'esprit de cette période des années 60 parce que c'est tellement important pour notre pays. Si c'est quelque chose qui est important pour notre pays, donc c'est très important pour la province de l'Ontario.

When we look at the motion and see that what it specifically speaks to is the kind of work and cooperation that needs to go on in order to restructure our broad social policies in health and education and in social security, one has to say, if I may paraphrase Rabbi Hillel, what are we doing? What is this government doing in terms of those policies, in terms of this discussion the federal government has launched, where it has said to all the provinces, "Come, let us sit down, let us reason together, let us reconstruct all of those programs that have grown up since the Second World War and which we have developed, particularly through the 1960s and 1970s?"

What continually we find difficult to understand and what those of us who met with the various groups this morning that were here talking about children, talking about poverty, talking about trying to renew a commitment to fight poverty find difficult to understand, is, where are the plans and programs from this government that can be put on the table to discuss with the federal government? I see my good friend and colleague the Minister of Community and Social Services is here, and surely one of the questions—there has been a request to sit and discuss and come up with plans, so where are they? This government has been in office for almost four years, the federal government for six months. Surely,

those plans are there, or ought to be there, to be brought to the table so we can begin that very specific discussion.

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If the minister and the Premier were to look at what the federal government is saying, many of the words are very similar throughout the country. No matter which province you're in, people are saying, how do we make our social safety net, our educational system, our health care system better when we know we have limited dollars? We have to make them more efficient and more effective. We've got to be able to really target to make sure that those most in need are going to get the help they require. After four years, I'm surprised that this government has not been able to be quicker off the mark in presenting to the federal government and indeed to their colleagues in the other provinces the kind of outline, the framework and the specifics they want to propose to do that.

On Monday we sat in the House and the Premier presented the report of the Premier's Council that dealt with children and youth. A number of us were struck at that time by—I can only call it the tenor and the tone of the Premier's presentation. We all know the difficulty any government has today, and indeed any government will after the next election, in trying to find the dollars required for children and youth, the dollars required for our health and social systems, so we have to talk about how we reapportion or reallocate those funds.

But in working with the people who are on the front lines, we have got to give them a sense of hope, to ensure that at the very least they know that their objectives are our objectives and that we are going to work closely with them and be as active as we can in doing that. I think that is what has been missing. As we have noted, there was nothing in the budget that spoke directly about children and youth, there was nothing in the budget that held out hope around these fundamental questions.

But one place where I believe there is and can be a sense of hope is that what is being said in Ottawa, and what I believe most of us here are saying in terms of what we want to do with our health, social and education systems, is that out of that we can find the dollars, not to do everything we want to do, but to do the most important things.

One of the things the people who were here this morning to talk to us about social assistance reform and about child care reform had to say was: "Look, we don't want the moon tomorrow morning; we know that's not possible. But we do know there are some specific changes and reforms that can be worked out and that can be delivered. We believe if this provincial government will reallocate its priorities, there are more dollars there for those most in need. Together with the federal government and the funds it has said are available for those needs, we can actually make an impact in this calendar year."

The question that goes out to this government and to the Premier is not, do we agree with the motion he puts before us? Of course we do. The question is, how are we going to go about it, and when will this government be presenting, not only to the federal government, its ideas

and its plans and its programs, but as the Premier has said, when do we start that debate in this House? When do we start to look at how we're going to restructure our programs, and when do we begin to discuss what the real needs are that are out there, and how are we going to help?

We've heard from people at arm's length, whether it's the Premier's Council, whether it's the various agencies and organizations out there on the front lines, defining clearly over the last number of years—and I include in that documents that came to us when we were government.

Nobody stands here in this House and says, "Everything we did on behalf of children and youth, on behalf of the education system, the health system, the social welfare system, was perfect and brought about all those changes." But there has been over a long period of time a basis of agreement among the three parties on some specific changes and directions. We can build on that, if this government is prepared to, quite frankly, get up off their seats and take some leadership and not—I find it incredible that one has to say this—a government that seems to be afraid to speak on these very issues of social reform, issues which when we were government we heard a great deal from them about, because in their view we weren't doing enough.

But I would ask anybody to go back and look at what John Sweeney accomplished, look at the Thomson report and SARC and a variety of things in terms of imaginative, innovative, visionary documents that pointed to a direction for this province and where, again I say, many people in this province and in this Legislature on all sides of the House agree in terms of where we want to go.

I put to the Premier and I put to this government that the issue is not whether the federal government is going to work or not work with the province of Ontario or with the provinces. It has said clearly it is going to do that. What this government then has to do is to go forward with its plans and proposals.

If they want our support for those plans and proposals, bring them to this House. What is it you're going to do for children? What is it you're going to do for youth? How are you going to reform the health care system? What are those changes in education that you want that are going to entail federal-provincial cooperation? Let's bring them here, and send them out to a committee, if that's required. We need to get going with that debate, we need to start making those fundamental changes so all Canadians can see that the money being spent in those fields is being spent wisely, effectively, efficiently, that there is a clear role for the federal government, a clear role for the provincial government, and clear roles for our other partners in providing those services. In doing that, the Premier will have our support.

But if he sees this solely as a political exercise, where his advisers are saying to him, "You've got to start to shake things up; attack the federal Liberals so you'll affect the percentage in the polls the provincial Liberals now have and move your numbers up," if he's going to play that kind of cheap partisan trick, that's no good. This issue is far too important, and it isn't going to matter a darn to the people who need the social and



health and educational services, a year from now, two years from now, three years from now, what the political gamesmanship was in May 1994. What is going to be important is simply that we did the right things when they needed to be done, that when the federal government said, "We want to sit down and work with you, we want to make these changes, we want to expedite the process and do it as quickly and as effectively as we can," we as a Legislature stood and said, "We're going to join you in that exercise and we're going to bring about those changes."

If that is the spirit within which this motion is given today, we support that fully. We urge the Premier, his cabinet and his government to work closely with the federal government, we urge them to bring their proposals before this House so we will have an opportunity to debate them, and we urge all of us to do that quickly so the people of this province and indeed of this country can be assured that we're going to have the best social services, health services and educational services and that they will be delivered in a way that is fair, not only to Ontarians but to every Canadian in this country.

**Mr Michael D. Harris (Nipissing):** I know there are a number of members who would like to get on the record today with some thoughts on this resolution, so I will be brief, but I did feel the issue is an important one. I'm not convinced this resolution is the appropriate way of expressing one's concern about the issue of welfare and of poverty and of the dramatic need for reform of a system all across Canada, but that here in Ontario is probably a system more in need of reform than any I have seen; whether this kind of debate is the right forum.

Obviously, we are all supportive, as political parties, as leaders, as politicians, the 130 of us—I hope someday to be 99 of us—who are here representing Ontarians, of the principle of Ontario receiving its fair share, a fair share from Confederation in those areas of national programs, fair based upon what we are able to achieve and do for ourselves. As you know, for many years Ontario was very fortunate to be in a generous position, to be able to say, "We can assist the national government," or, "We can assist other provinces because we believe very strongly in this country, and we have done well in Ontario from Canada's Confederation, and we want to contribute our fair share."

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But I do have concerns about the need to be having this debate. Is it really that we're not receiving our fair share or is it that the social system in Ontario has been so mismanaged and that these tax-and-spend policies over the past 10 years have really destroyed so much of what Ontario had going for it? We were once, you know, the economic engine that was a magnet for investment in Ontario. We benefited so much from those investments that were creating those good-paying jobs. We were envied here in Ontario, and we are not today. Of course, when we prospered we could afford to be generous with other provinces.

Instead, the government now of Ontario is reduced to whining and squabbling with other levels of government. This wasn't the way it was for 190 years in Confeder-

ation in Ontario, and it wasn't the way it was in the 42 years previous to this last decade, what we call "the lost decade."

As the member for Oakville South said when the Premier stated his intentions in this resolution, in Ontario we have always been the leaders in Confederation, and we've now become the whiners in Confederation.

So we can continue to complain that other levels of government are not pulling their weight. We can blame local levels of government or we can blame the federal government, or we can turn our energies towards making Ontario more competitive, towards making sure that we have the best social program in Ontario: a job.

When I hear other provinces coming to the federal government, which is \$40 billion in deficit, and whining that we need more money, particularly Ontario, this province whose taxpayers pay the bulk of the federal taxes, are on the hook for the bulk of the federal deficit, we must get our own affairs in order. We must, when we get our own affairs in order, be able to say to the federal government, "We'd like you to get your affairs in order, and we will help." We ought to be in the position of leading the way, as Ontario did for all those years.

So I wonder about the motive. I wonder, is this just to lay blame on the Liberals, who happen to be in government in Ottawa? It concerns me, particularly this Premier and this party and this government, a government that when it comes to the social safety net, when it comes to those in need, has done so little to make the kinds of reforms that we need in Ontario to give people jobs, to give them hope.

We have perpetuated the system of the Ontario Liberals, begun to condemn people to a lifetime of welfare, condemn them to a lifetime of no hope or opportunity; generations, and children, particularly children in need. If ever there has been a disgrace, it has been this Ontario and how we have gone backwards in the last 10 years in assisting those most vulnerable in our society: children, children in need and those most vulnerable. It is an absolute disgrace.

All we have heard from the government is whining that we need more money from a bankrupt federal government. I believe that it is time for us to stop whining. It is time for us to fix that which is broken right here in our own province. It's time for us to take back our own destiny again, get our own affairs in order again.

*Interjections.*

**The Acting Speaker:** Order, please. Interjections are out of order.

**Mr Harris:** It is necessary for government, it's still necessary for the party, even at 6% in popularity, to govern and do what is best for Ontarians. It is necessary for them to set priorities.

Premier Rae can spend his time and energy fighting against the feds, fighting against another level of government, pointing fingers, blaming others, or Premier Rae and this Legislature can spend their time and energy fighting for hope, for opportunity, for jobs for Ontarians by taking a hard look at the total mismanagement of the economy of Ontario over the last 10 years.

You see, there is only one taxpayer, and that taxpayer is fed up with the old style of politics. They're fed up with the finger-pointing and blaming someone else. They are demanding major reform of a broken system. I am proud that my party put forward a commonsense plan to bring jobs and prosperity and hope and opportunity back to Ontario. Included in that plan were reforms to the disastrous, failed welfare system in the province of Ontario.

We suggest that the Premier and this Legislature should turn their energies to fix that which is broken here in the province of Ontario. I tell you this: If the Premier spent as much time working towards making Ontario great again as he spends at pointing fingers and running down other levels of government, then Ontario would be great again and we would not be having this debate today. In fact we would be helping those most vulnerable, those children, those on welfare, get jobs, the skills they need to get jobs, and we would have Ontario in a position where we could lead Canada again, where we could be leading Canada out of a recession, where we could be helping the federal government in dealing with the deficit that it has to deal with.

That's the kind of Ontario that I grew up in. That's the kind of Ontario that I want for all Ontarians, that I want for my children. That's the kind of Ontario that I believe we can have and that is why I'm so doggone mad that all we're doing in this Legislature is pointing fingers, blaming others, instead of starting to put commonsense solutions to work to restore the hope and the dreams and the aspirations of all Ontarians, particularly those who are most vulnerable in our society. So I regret that this resolution today is pointing fingers at others instead of getting to solving our own problems.

We have put forward commonsense solutions that have been supported by Ontarians and, indeed, they're crying out for, including poverty advocates, those on welfare, those who are losing hope.

#### *Interjections.*

**Mr Harris:** If some in the other parties, some on the government benches, disagree with our plan, surely they understand theirs has been a total failure. Why aren't we working towards solutions instead of blaming others?

So it actually is a disgrace when the Premier of the province of Ontario spends his time whining, pointing fingers, blaming others. That is not the legacy, that is not the history, of this province that I grew up in and that will not be the legacy and the history of this province when we bring common sense back to it.

I would invite the government to work with us now, not to wait for a year from now. Work with us now on fixing what's broken in this province, because we will help you with that if you want to do that.

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**Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations):** It is a pleasure to stand up today and to add a few comments to the resolution and to the debate that has been going on this afternoon.

I just wanted to make a few comments on some of the issues that have already been raised and it's very important to identify. This resolution is not about pointing fingers; this resolution is about identifying concerns that Ontarians have. It's identifying the problems that Ontarians share all across this great province. It's about identifying what we have to do to put Ontario back on the map and to make sure that Ontarians are cared for, listened to and have their equal rights and their fair share. I think it's very important to add some comments that will really talk about—

#### *Interjection.*

**Hon Ms Ziemba:** Not whining; we're not whining. We understand the problems the federal government has; we understand the problems all governments face in these very tough economic times. It's not just in Canada; it's across the world.

I would like to share with you some of the concerns we have in our Ministry of Citizenship when it comes to immigration. The resolution the Premier introduced today sets out five principles to govern the process of reform of our social and labour market programs. This resolution, of course, is of very profound importance to our ministry, as well as to the many people and the communities we serve and the communities that serve the people of Ontario.

The resolution states that unilateral changes by Ottawa to Canada's social programs are not compatible with cooperative federalism. It goes on to state that this House insists "upon the right of Ontarians to a fair share of federal expenditure, which residents of Ontario do not now receive." I'm going to talk about the immigration issue because I think this is of profound importance to this debate, and why we have concerns about Ontario receiving its fair share.

We have tried, under our previous government, prior to the federal government being elected in October, to negotiate a federal agreement with the previous Conservative government, but to no avail. There were many reasons for that. We had some hope when the Liberals took office in Ottawa that perhaps we could sit down and start to discuss a fair share and a provincial-federal agreement on immigration for the province of Ontario. We are now presently leading a team which represents six provincial ministries in the process of negotiating a bilateral immigration agreement with the federal government.

Although Ottawa and the federal government does have paramountcy over immigration in Canada, it still is very much a provincial issue. Immigration is a provincial issue in that we do provide services. Our community-based agencies provide services to refugees and immigrants who come to this province. Although we in Ontario provide very good services and we are very proud of that, we are also very interested in what happens to the other provinces across Canada.

Because we do share jurisdiction over immigration, it is essential that Ontario and the federal government work together on the delivery of immigration services. That's not whining; that's a reality. It's very important that we work together, that we share resources, that we share a



discussion over the type of services that should be delivered in Ontario. We know and we appreciate that certain immigration services can be delivered in a more appropriate fashion. We know it is possible to serve the needs of immigrants better at the same time that all levels of government manage their fiscal resources more efficiently. We know that Ottawa must work in full cooperation with the provincial government to introduce lasting and meaningful improvements to our delivery of services for immigrants and refugees.

The bilateral immigration agreement that we have begun to negotiate with Ottawa exemplifies how our government is taking formal steps to ensure that our voice helps to shape improvements to our service delivery system. It's a cooperative spirit; it's a spirit in trying to find a better way of doing things in our tight fiscal restraints that we face today.

One of the points made in our resolution was that at the same time Ontario accepts its statutory responsibility to share its wealth with other Canadians, it also insists upon the right of Ontarians to a fair share of federal expenditures. Fairness is a key issue in these discussions. Unfortunately, there is no doubt in our minds that Ontario does not have fair access to federal funds in such matters as immigration services. The immigrant-serving community organizations in this province, which are doing an extremely superb job with many wonderful volunteers who do a magnificent job to deliver our services, are not receiving their fair share of federal support for newcomers.

I want to point out an example and I don't want people to think that this is whining. It's not to put this on the table to complain; it's just to put on the table an example of what happens today in Ontario. In 1993-94, Ottawa will spend \$760 a year for every immigrant who comes to Ontario. This is in comparison to an average of \$1,500 for those who settle elsewhere in Canada. Surprisingly enough, we will spend \$2,250 for those who decide to settle in Quebec.

Now, people who come to Canada do not understand where the differences are in federal spending. They come to choose to live in a province that will most benefit them and their families. They come to choose to live in a province that is the best province probably in the entire world to live in, and they do not understand the differences of funding between the federal government's spending for other provinces and Ontario.

If you take a look at the people who do choose to come to Ontario, about 59% of all immigrants choose to live in Ontario when they come to Canada. But we only receive—and again this is an example of the injustice—39% of the federal funding for settlement and language training. This is not whining; this is not complaining. This is stating facts about why we are concerned about the fair share that Ontario does not receive at the present time.

Another example, I think, of why we need to sit down and talk with the federal government, to cooperate and try to reach a bilateral federal immigration agreement is an example that we shared just a few weeks ago. This example was the fact that here we were, sitting down—it

was a Friday afternoon and we were about to enter into very serious negotiations with the federal government on Tuesday, where our delegation of officials was going to Ottawa to sit down and decide the process and how we would come to that agreement. That Friday afternoon the federal government, without consulting with Ontario, without discussing with us what impact the decision they were about to make would have on Ontario, decided to cancel a program to immigrants who come to this country, a federal program that has been in place since 1948. This program was for certain legal immigrants who decided to come to Ontario and who would be staying in Ontario.

This decision affected and will affect thousands of new Ontarians, probably 10,000 in the next year. The result I think that's very shocking to all of us is that as we were entering into this negotiation, while we were trying to make these decisions about how we were going to come about having an agreement, we found out about this unilateral decision and the fact that it was going to cost probably \$16.5 million to Ontario in added costs that we will have to pick up because of the lack of funding from the federal government.

It's precisely to avoid this kind and this type of unilateral action that is so hurtful to the people of Ontario that we are determined to pursue a bilateral immigration agreement. It's so essential as we discuss this resolution today that we discuss these particular things that have happened in the past so we can understand why we are so concerned and why the resolution is so important today.

We need an agreement so that we can work cooperatively to establish a coordinated and properly funded approach to the settlement and integration of immigrants to Ontario.

Canada has a long-standing international image and a reputation as a country with strong humanitarian values. We take pride in our record of reaching out to people around the world. Indeed, with the exception of the people of the first nations, Canada is truly a nation of immigrants, of people who have come from every corner of the world.

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It's because of this that we must sit down to come up with a fair approach to how we deliver services, that we discuss this in a way with the federal government so that Ontario is treated fairly and the people who decide to choose to live in this province are treated with respect and with dignity as they would be treated if they were to go to another province in this country.

I thank you for this opportunity to discuss the resolution, to give you a few concrete examples why it's so important to discuss this resolution today and why we're pleased to be part of this discussion.

**Mr Gerry Phillips (Scarborough-Agincourt):** I appreciate the chance to speak on the motion and to say obviously our party is keen and interested and will ensure that we do everything we possibly can to make certain Ontario gets its fair share from the federal government. I think you'll find broad support for the motion that's before us, certainly from our caucus.

It's almost not the issue that this motion will pass. The issue is just what is the motive behind it and how is Premier Rae planning to proceed. I would say that it isn't the policy behind it, but the politics of it. I will just share with the House our concern about where the Premier may be heading with this and hope we're wrong, but just share with you why we are concerned.

I think the first thing that really got me concerned was when the federal budget came out. I think people in Ontario should recognize that the Ontario government got in the federal budget exactly what it had been planning on getting, exactly what it had been told it was going to get, exactly what were built into all of the financial numbers.

We had before us, at what we call a finance and economics committee, the ministry officials that do all the forecasting on revenue from the federal government—by the way, all of the numbers that Premier Rae had when he made all the commitments to people around the province—and what we got from the federal government in the budget was exactly what Premier Rae had been expecting: no surprises, dollar for dollar almost, exactly what had been expected by Premier Rae.

But what was the response from Premier Rae on it? He said, "Ontario has been kneecapped."

**Mr Drummond White (Durham Centre):** Kneecapped?

**Mr Phillips:** "Kneecapped" was the language he used, and I found that extreme. I suddenly begin to have some questions about where the Premier is heading in terms of relationship with the federal government.

When you get from the federal government exactly what you had been expecting, when you had been told—I gather from reading the media you'd been told privately what you were going to get—and then to use the expression, "We were kneecapped," I think it is the first strong signal I saw that the Premier may decide for political reasons that it's great politically to get into a fight with the federal government even when they do what you want them to do and what you'd expected from them.

The second reason I express concern about the politics of this is that well over a month ago, weeks before the Premier came to the House to express his interest in proceeding with this, our caucus sent the government a letter and said, "Listen, one of the big issues in the months ahead of us is going to be our funding relationship with the federal government."

I don't think there's much doubt that over probably the last decade there have been substantial changes in the funding from the federal government. Ontario's share of the federal funding has decreased. There have been, to use the jargon we use around here, some caps on some of the funding. They have cut Ontario's funding.

We were anxious, we are anxious, to have a detailed debate about that, to get at the background of it and we said: "Listen, we are committed to ensuring we get a fair share from the federal government. We're committed to spending whatever time and effort we need to as a Legislature to look at it. We have a committee that specifically can do that."

We sent that letter well over a month ago, weeks before this resolution was even hinted at by the Premier. We haven't heard back from the government on that. We sent it in good faith to do exactly what the Premier wants us to do, and that is for the Legislature to share in ensuring that Ontario gets its fair share.

**Hon David S. Cooke (Minister of Education and Training):** You've got that opportunity today.

**Mr Phillips:** The Minister of Education says we have that opportunity today. No, we don't. The opportunity we need is to go over in detail the money we get from the federal government. The opportunity we need is to spend the time and the effort to look at the arguments and the merits, to have all of the details before us, and we can then, as a legislative body, deal with it.

The third alarm bell actually went off for me in the Legislature today when, for whatever his motives are, I don't know, but it is clear—

**Hon Evelyn Gigantes (Minister of Housing):** You can't question his motives.

**Mr Phillips:** The member says I can't question the motives. I don't know why the Premier would essentially not be forthcoming with the people of Ontario. There is what's called a federal-provincial infrastructure program, Madam Speaker, that you know about. It is one where it appears there's a good level of cooperation between the federal government and the provincial government. It's one where we are getting on with some good projects, one that I think most people support. It's a good idea. It is helping jobs. But what did the provincial government do, if you can believe this?

They took the federal infrastructure money, the \$253 million that the federal government is spending on the infrastructure program, took it into their pocket and then reported it as provincial spending on infrastructure. I think that's obscene. I think the people of Ontario will say: "What in the world is going on? Why is Bob Rae claiming 100% of the spending from the federal government infrastructure? Why is the provincial government taking credit for that infrastructure spending and saying, 'We are spending this money, the province is spending this money,' when it is the federal government spending the money?"

**Hon Mr Cooke:** It's clearly identified.

**Mr Phillips:** The Minister of Education says it's clearly identified. The Premier said, "I was wrong," and the Premier was wrong. The Premier was dead wrong. You are playing political games. I think people in Ontario will be shocked when they find out that the federal infrastructure program, the money that the federal government is spending, is being claimed as provincial spending.

When my friends in the construction trades talked to me about this, they said: "You must be wrong, Gerry. You can't be right on this." When Bob Rae, by the way, spends our taxpayers' dollars to send this out—

**Mr Chris Stockwell (Etobicoke West):** On a point of order, Madam Speaker: This appears to be a very important resolution brought forward by the Premier. We should have a quorum here.



**The Acting Speaker (Ms Margaret H. Harrington):** Would the clerk please determine if a quorum is present.

**Acting Clerk Assistant (Mr Doug Arnott):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Acting Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** I would ask the member for Scarborough-Agincourt to resume.

**Mr Phillips:** I go back to the point I was making when we asked to ensure that there were enough government members here for a quorum, and that is back to the political game the government's playing.

My friends in the construction trade say to me, when the provincial government says it is investing \$3.8 billion to build Ontario's infrastructure, \$300 million more than last year, "That can't include the federal government money, can it?" It does. It includes the federal government money in there.

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The reason I raise this is that the very day when the Premier proposes this motion designed to get at the federal government, the very day he does that, in the one area where the federal government and the provincial government seem to be working closely together, the Premier categorically denies he did something he did. He clearly in his own document, paid for by the taxpayers, has claimed the federal infrastructure money as his own money.

It is, at the very least, misleading the public and, at the most, the Premier today, I might say, did make me angry, because he said I was wrong when he knew—I think he knew—he was absolutely wrong.

So there are three examples where, as we debate this motion around the relationship between the federal government and the provincial government, the alarm bells start to go off about the politics behind this.

I understand and appreciate—I guess I appreciate—that perhaps the Premier knows something about polls, and perhaps it may be good politics to attack the federal government, and perhaps, as he looks down the road, that's a good idea for him.

What I think people in the province are looking for is what my colleague said, and that is a level of cooperation between levels of government, a working together, "partnerships," to use the term we used to hear from Bob Rae.

As I said before, we will be supporting the motion. We proposed weeks and weeks and weeks ago a proposal to get at this, but we've heard nothing from the government.

The area that worries me about the Premier is that I'm not sure what his view is of Canada. I used to think I knew he had a view of it. I used to think he had a strong view of it. But I have had enough experience now with the Premier changing his mind on matters of principle that I don't know where he stands on Canada any longer.

I went through the speech from the throne where Sunday shopping was a matter of principle with the NDP, the common pause day, and they changed their mind on

that. Public auto was a matter of principle with the Premier, and he changed his mind on that. Gambling is a very interesting issue, because—my colleague from St Catharines has raised this often—where does the Premier stand on gambling?

**Hon Mr Cooke:** Where did Lyn Mcleod stand last Friday when she was in Windsor?

**The Acting Speaker:** Order.

**Mr Phillips:** I can recall him talking often—

**Hon Mr Cooke:** Quite different than what she said here.

**Mr Phillips:** Well, we're obviously touching a nerve end. I can recall the Premier talking often on gambling being a tax on the poor.

**Hon Mr Cooke:** So did Lyn about three months ago when she opposed it. Now she's in favour of it.

**The Acting Speaker:** Interjections are out of order.

**Mr Phillips:** What we now find is, the biggest source of revenue growth in the province is gambling. I understand communities love it. The casino in Windsor will be a big success. I have no doubt about that. As a matter of fact, I think there's no doubt that the Legislature will be under enormous pressure almost instantly from probably eight or nine or 10 communities around the province that see those numbers of people at the casino.

My point isn't whether that's right or wrong; it is that the Premier, Bob Rae, used to have strong principles on this, but clearly his principles can be blown with the tide of the times. He used to be the same on collective bargaining. That was a fundamental principle with the Premier.

The reason I raise all these things is that we're dealing here with the future of the country in some respects. Now, this motion isn't dealing with the future of the country, but over the next few months, and certainly over the next few years, once again the country is going to go through a very challenging period of time.

The Quebec election is coming up. If the election were held today, I gather the PQ would win the election. If that happens, we're looking at a referendum some time in the future. We're into a very delicate period of time. In Canada, we always seem to be in a delicate period of time, but it's not unfair to say that this period over the next few months, certainly the next few years, is really a crucial time for the province and the country.

The reason I say all of this is that I used to have a view of the Premier's view of Canada, but I'm not sure what his view is any longer. Furthermore, I'm not sure but that public opinion polls can't drive him one way or the other. As I say, we support the motion. The problem we have is trying to get a sense of what the politics are behind all of this.

In terms of the reform of social assistance, which is the detail of the motion, I don't think there's any doubt by virtually every member here in the Legislature that we need to look at some fairly fundamental reform of social assistance. It's our view that we are trying to have a 1990s economy with what we would describe as 1960s apparatus. That includes, by the way, the need for some

fundamental reform of government. But in terms of the social assistance program, as we all know, even in good times the case load of social assistance has gone up.

One of the other things I was concerned with in the budget is that, as I pointed out today, the government is predicting that fewer jobs are going to be created in Ontario in 1994 than in 1993. The Premier said I was Dr Gloom or something like that, whereas all I was saying was, "Premier, why are you predicting in your budget fewer jobs in 1994 than in 1993?" What that means, inevitably, because more people are going to enter the labour force than jobs will be created in 1994, is that there's going to be once again a record number of people out of work in this province at the end of 1994. That's not me or my numbers, that's the government's own numbers.

The second thing the budget says is that the case load on social assistance is going to go up. I had thought the case load on social assistance was dropping this year. I thought that was the plan, I thought the government had expected that, but the budget calls for the case load on social assistance to grow in this year. Again it's not me saying that; that's what the government says. So I have no doubt that we need some fairly fundamental reform of our social assistance program.

**Mr Anthony Perruzza (Downsview):** Gerry, be a little more optimistic. Come on, smile a little.

**Mr Phillips:** The member says, "Be a little complimentary."

**Mr Perruzza:** Be more optimistic.

**Mr Phillips:** I am optimistic about the future of Ontario. I am pessimistic about your ability to bring us out. There's no question in my mind that the future of this province is extremely bright. The problem is, who's managing it?

We also support some fairly fundamental reform of social assistance. As my colleague said, the way we will go about it is through dialogue and cooperation and partnerships between the various levels of government. If, on the first big, cooperative program between the province and the federal government, the way this government has chosen is a sign of the future, that you've chosen to say, "Our infrastructure spending is this," but you've included all the federal numbers, I think we're getting off on the wrong foot. As I say, we are very much supportive of a substantive debate on social assistance.

I will begin to close my remarks by saying that you will see support from us on this. We are concerned primarily about how the Premier plans to deal with this issue. We now have seen, as I said before, three examples where, in our opinion, he is looking more for a fight for the sake of a fight: the "kneecapping" comment on the federal budget when he got exactly what he had been expecting from the federal government; the fact that the Premier has failed to respond to our request to deal with this, that we haven't had the courtesy even of a response yet; and the fact that the budget would have, in my opinion, the nerve to report the federal infrastructure program as provincial spending, which is totally misleading and is getting off on the wrong foot.

For all of those reasons, we'll support the motion, but we are very, very apprehensive about what the motive is behind the motion and we'll be watching carefully as the weeks and months unfold.

1630

**Mr Norman W. Sterling (Carleton):** I wanted to speak on this motion because it brings forth a number of problems we have had in terms of provincial-federal relations.

One of the first points I wanted to talk about was in terms of the fact that this Premier, as my leader Mr Harris has pointed out, and this government have spent a great deal of their time pointing fingers at the federal government: the previous federal Conservative government, and now the present Liberal government.

It's important that when you look at item 1 of the resolution, it says: "Ontario supports the need for change and improvement in our social programs and in the fiscal and practical arrangements between the two levels of government. This reform should focus upon work, training and the needs of children."

The problem with some of our provincial-federal financing arrangements stems from the fact that the federal government, in its wisdom—or lack of wisdom—some time ago said, "We will pay for 50% of the social programs." When that rule was made up, there were no limits on how far a provincial government could extend the benefits, the level of benefits and the eligibility rules about who could benefit. During the 1985 to 1990 period, the former Liberal provincial government both expanded the eligibility requirements and expanded or increased the levels of assistance in a number of programs.

On February 17, 1994, on Fourth Reading, a TVO program, Robert Nixon, the former Treasurer and Deputy Premier of this province, said, and this is this year:

"About five years ago we did this [massive review of social assistance programs], we put a huge infusion, unbelievable new infusion of money under the acronym of SARC, I can't remember what it stands for...the Social Assistance Review Committee, that was strongly supported by the NDP and by Ian Scott and the Liberals of Rosedale.... So we took this big bundle of money and dumped it into the welfare program that was all distributed in the most modern and effective way. No one seems to remember that, other than of course now we expect the federal government to say, 'Okay, that is what you are doing in Ontario, so you now have to pay a larger proportion.' My sense is that our programs here are much more generous than they are in the rest of Canada."

That's what Robert Nixon, the former Deputy Premier of this province and former Treasurer, said. In other words, he is now admitting that through their, if you want to call it that, huge generosity to citizens of Ontario, he was being unreasonable or we are now being unreasonable in saying to the federal government, "You must pay 50%, regardless of how wide and far we extend the benefits."

I want to also draw a comparison here. Under our financing of education across this province, we say to various school boards, "We will support the level of



funding to your school board to a certain cap," I believe around \$4,200 per student. We say to the Carleton Board of Education and the Carleton Roman Catholic Separate School Board, which I represent: "We will support funding to \$4,200. If you want to enhance your programs, if you want to have more teachers, if you want to have a more diverse program, if you want to have extra curriculum development teachers etc, you have to go to your own local taxpayer and get that money." We say that as a province down to the various school boards.

If that's how we treat a government over which we have total control—in other words, we say, "There is the spending limit, but if you go above that, 100% of the money must come from your own taxpaying sources"—why then do we have the right to go to the federal government and say, "It doesn't matter how much we spend on this program, you're still responsible for 50% of whatever we spent."

We cannot afford to do that. We can't afford to go to the government at the federal level, which is running a deficit of \$42 billion annually and over half a trillion dollars accumulated over about a 20-year period, and say, "We can decide we're going to spend an extra \$300 million in a social assistance or social security program and you're expected to come up with \$150 million."

What we need is for the federal government and the provincial governments to sit down and establish a national base and say: "This national base for welfare is  $x$  amount of dollars. If you, the province of Ontario, if you, the province of Quebec, if you, the province of Newfoundland, go above that, you're on your own."

Why should the federal government be responsible for a decision which is made at the provincial level? That is our responsibility here. If we want to have our welfare payments or a social security system 30% higher than the national average, it's the job of the Ontario government to go to the people of Ontario and say, "We will tax for that 30%." We can't say, "We want control of those programs," and not be responsible for the extra expenditure.

I'm also somewhat amused by the fact that this government and previous governments continue to ask the federal government to get involved in more and more programs. The fact is that every time the federal government gets involved in a program, Ontario loses, we lose. The reason we lose is that we have about 37% of the population but we pay about 43.3%, I believe is the accurate figure, of the federal tax bills.

About a year and a half ago, we had the Minister of Transportation, Mr Pouliot, encouraging the federal government to get involved in a national highway building program. I believe what happened was that there was a program thrown out on the table whereby Ontario received something like 15% of the money, and there was a great hue and cry from the government benches that this wasn't enough.

On the one hand, you go to the federal government and say, "We want you to go out and sponsor this program," and on the other hand, when we get less than 43%, the government throws up its hands and says, "We aren't getting our fair share."

We all know about the infrastructure program which the federal Liberal government came up with. It's not dealing with equalization payments; it's dealing with building of roads, bridges etc. No politician speaks against the infrastructure program because governments are spending money; they're handing out cheques in all of our communities. But I wrote to the Honourable Art Eggleton back in February of this year and I said to Mr Eggleton, "We're not getting our fair share in this program."

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The contribution of the federal government over the two-year period is \$2 billion and we in Ontario are going to receive somewhere around \$720 million of the \$2 billion. You say that's a pretty big chunk; that's about 36% of the total money. The problem with us accepting that \$722 million as a fair share is the fact that Ontario taxpayers are going to have to pay back \$866 million. So there's a net loss to the Ontario taxpayer of \$144 million. We would have been better off here in Ontario to say to the federal government: "Look, forget about the infrastructure program. We'll do our own. We'll do an \$866-million infrastructure program. Don't give us your money. Don't give any money out to anybody else. We'll go it alone."

That was a net loss. As a matter of fact, the infrastructure program was a bad deal for Ontario taxpayers. We'll lose \$144 million. We, as Ontario taxpayers, are going to have to pay that back to the federal government with interest. So I can understand why the other provinces are very, very supportive of the infrastructure program, because they're getting more out of the program than they're going to have to pay back.

So we've got this conundrum that we continue as provincial governments to encourage the federal government to get involved in more and more programs. We lose. We lose every time the federal government comes up and spends more money.

I also wanted to talk about the resolution. It says, "There must be no fiscal offloading from the federal government to the provinces." That's nice for Bob Rae and the New Democratic Party to say, but I would have liked to have seen part of that resolution say, "And we will not offload to municipalities or school boards," because we have seen a lot of that in the last four years. You can't have it both ways. You can't say, "We don't want the federal government to offload down on to us, yet we continue to have the right to offload down on to municipal governments and to school boards."

So I would say that the government would have a great deal more credibility if it had said in section 2 of the resolution, "We will not offload down to municipalities and to school boards."

The last point that I would like to talk about, under section 4, "Any reform must reinforce, and not undermine, Canada's record as a compassionate society." That's nice; that's motherhood and apple pie, I suppose. What I would have liked to have seen is some kind of fiscal responsibility be put with the statement. I think there's enough money already being spent in the system and I certainly believe that our taxes, both at the federal

and provincial level, are high enough. Therefore, I would have liked to have seen this particular resolution have some constraints about it in terms of requiring that the compassionate society clause be done in the context of a responsible fiscal policy and that it not result in or require any increase in federal or provincial taxes or provincial or federal debt levels.

We cannot continue to expand our social security net and incur more debt. We just cannot do it, as much as we would like to be a more compassionate society. I don't think anybody would argue that we would love to help more and more people out with more and more money, but we're broke, or we're getting close to being broke. When our federal debt is half a trillion dollars and our provincial debt is climbing precariously close to \$100 billion, we are indeed in deep trouble here in the province of Ontario.

I don't think that we are getting a fair deal here in Ontario from our federal government, but on the other hand, if we are to solve this problem over the long term, we must take our responsibility at the provincial level. We cannot say to the federal government, "Yes, we want the right to have all the programs, make all of the decisions about how much should be spent," and, on the other hand, "We require you to guarantee payment to us for those programs."

While we're receiving 28% of our costs with regard to our social welfare programs from the federal government under CAP, we have been the author of some of our own problems. Twenty-eight per cent reflects the fact that our social welfare programs are 30% above the national average. Therefore, in terms of what our federal government has set, or what our provincial neighbours have set as an average of what kind of help we can give to the citizens of Canada, we have chosen to go above that. Why should other people in Canada be responsible for paying for what our provincial governments have in the past and in the present chosen to seek as the levels of payment?

1650

I would like at this point, in closing, to move that the motion be amended by adding the following paragraph to clause 5:

"In the absence of federal leadership, the government of Ontario must devote its policies and priorities to restoring and maintaining Ontario's strong economic role in Confederation.

"To facilitate this, the government of Ontario should immediately implement the welfare reform component of the Common Sense Revolution document which includes: increasing the performance requirements of recipients through training, education and work programs; reviewing eligibility; eliminating fraud, abuse and poor management; and bringing Ontario's benefits closer to the national average."

**The Acting Speaker:** Mr Sterling, it's just one amendment you have here? Okay, thank you. Would you like to continue?

**Mr Sterling:** No, Madam Speaker, I will allow other members of my party to respond in the rotation.

**Hon Tony Silipo (Minister of Community and Social Services):** I welcome the opportunity to add a few thoughts to this debate because I think that we've seen an interesting array of comments so far, starting with some general support for the amendment now proposed to the resolution by the third party. I want to come back and speak specifically about that amendment and outline why certainly I, and I believe people on this side of the House, will not support that amendment.

I want to go back to the resolution that was put before us earlier today by the Premier and to start by talking about what is important about this resolution: What does it do, why is it here?

We believe that it's important to allow this Legislature the opportunity to debate an important issue like this and to be able to say as a Legislature where we stand in terms of some basic principles that have to be followed as we get more seriously into discussions with other provinces, with the federal government, in the whole area of reforming our social security system.

We have said outside of this Legislature, in this Legislature—the Premier has said this, I've said it, other ministers and other members of this government have said it and the resolution says it—that we support very strongly the need for change and the need for improvement in social programs.

We believe very fundamentally that the focus of that reform has to be helping to reconnect people to work through job creation and through training opportunities and has to be also to address the needs of children, because we know that many children are among the people who live in poverty in this province and throughout Canada.

It is important that as we proceed in this discussion, we go into it in the kind of cooperative spirit that we have tried and we will continue to try, as a province, to put forward.

I know other members have spoken about what the motivation is behind this resolution: Is it to try to get into a fight with the federal government? Well, quite frankly, if what we wanted to do was to get into a fight with the federal government, we could have taken other positions. We could have simply said, "Federal government, until you deal with the issue of 'fair share' for Ontario, we won't come to the table and talk about any of these things."

But we haven't taken that position. We have said we believe very fundamentally that the issue of how not the provincial government but how Ontarians are treated is one of the fundamental issues that has to be addressed. We certainly have said this to the previous Conservative government in Ottawa and we have said it and will continue to say it to the present Liberal government in Ottawa.

We would rather have seen the federal government moving on that issue now, rather than saying, as it has said, "Yes, we think you may have some legitimacy in your complaints, Ontario, but we can't deal with that issue until we go through this whole reform process." So what we've said is, "Fine, then we will continue to put



that issue in front of you and we will continue to participate in the process, because"—

**Mr Stockwell:** I've heard this before, four years ago.

**The Acting Speaker:** Order. The member for Etobicoke West is out of order.

**Hon Mr Silipo:** —"we believe that this issue has to be addressed." But in addition to dealing with that very important issue, the process of discussing the content of those reforms has to be done in a way that takes very much into account the work that we as a province have done, the work indeed that other provinces have done, work which I think has already been acknowledged very clearly by the federal government in saying that it acknowledges that we and other provinces were much further ahead than it was in its own thinking about this. Indeed, the process has to be one of genuine federal-provincial discussions, decision-making and negotiations, and not one of the federal government simply saying: "Here's what we're going to do. Take it or leave it."

The reality, and I come back to some of the points that the member for Carleton was saying, of the way in which this country operates is that under the Constitution of Canada there are very clearly some areas in which the federal government is responsible and there are other areas in which very clearly the provinces are responsible. I think it behooves all of us, as politicians and parliamentarians at whatever level we are, to not forget that we have, as a provincial government, certain powers and certain responsibilities. I want to come back to that point as well.

What have we done? We have put forward very clearly, not just in these recent discussions that have begun with the new federal government in Ottawa but certainly going back to last summer, when we outlined, through Turning Point, the vision that we have for the changes that have to come about, to our social assistance system in particular.

We have said and we continue to believe very strongly that what we need to be doing is to fundamentally change the social assistance system in this province to do, essentially, two very important things: to help to reconnect people back into the workforce through a variety of supports and a variety of training programs and other initiatives and other supports; and to provide support for children through what we had envisioned doing, the Ontario child income program.

We aren't going to be able to proceed as we had wanted to with the Ontario child income program because of the lack of federal participation; because of their unwillingness to participate in that financially; because, as they have indicated to us very clearly in their recent federal budget, we can expect across the country next year a cut of \$1.5 billion in the whole social security system funding. That is likely to affect us. Therefore, what they have said is that they're not interested in participating at this point in rectifying some of the injustices of the lack of funding under OSIP or through OSIP.

They have indicated that they have some interest in participating with us in Job Link, and we await with great

interest the response in the form of a cheque. I note that today is May 11. We sent a proposal to them on April 11, as it turns out. We are still waiting to hear what the response will be in terms of what real dollars will flow to us. But we take the word that I've heard from Minister Axworthy and others that they are interested in participating with us, and we await, as I say, with great interest to see the extent to which they will participate with us financially.

But we have not waited until the federal government has come through for us to take action. We know that already through the kinds of initiatives we have undertaken that we are continuing to provide support and assistance to people to be able to re-enter the workforce as well as continuing to provide support for children in a variety of ways.

We have, as has been noted in this Legislature many a time, the Jobs Ontario Training program, which has created to date 46,000 jobs and which is geared mainly to people on social assistance and people who have exhausted their unemployment insurance eligibility. That is saving the people of Ontario about \$190 million in social assistance costs that have been saved through that program and through the creation of those real jobs.

We also have on STEP, the supports to employment program, about 100,000 people who are on social assistance who are earning some dollars through part-time and in some cases full-time jobs and therefore who are also through that process saving taxpayers and saving all of us additional dollars that would otherwise have to be spent to support them on social assistance. We need to do more in those areas to better market that program, to do more to support people through Jobs Ontario Training.

Job Link is one of the vehicles, and I'll be happy to outline a few weeks from now, I hope, some of the details of that initiative and how it will also further assist people on social assistance to be able to make the exit from the dependency of social assistance to greater independence and to be able to take care of themselves and their families.

But the way we need to do that is through those kinds of supportive steps and not through the kinds of things that we hear from the third party and its Common Sense Revolution. It's interesting to hear the words that have come through today in the amendment that has just been placed, because while they have cleaned up the language a little bit, they talk in the amendment about bringing Ontario's benefits closer to the national average.

They don't point out that what that means are cuts: severe cuts in the rates, in the benefit levels that are being provided today to social assistance recipients, in the neighbourhood of 16% to 22%. You know, Madam Speaker, who will be the hardest hit by those cuts. It will in fact be sole-support parents, the people that they say they want to support the most.

I think it's a little bit odd that we hear on the one hand the support that the third party wants to provide to people in need, and on the other hand them being prepared to make these significant cuts to the poorest people in our society. That is not the approach that we believe needs to happen. That is not to say that we do not believe there

isn't anything that needs to be done or that indeed we simply need to wait until the federal government comes forward and says, "Here is the solution." If we were going to wait for it, we could be waiting a long, long time.

1700

What we have done is said we need to continue to support initiatives that will help people to re-enter the workforce. We need to continue to support initiatives like child care to which, I might say, we have continued to add, year after year, more and more spaces in the system, more and more dollars. We will add in this fiscal year \$60 million to child care funding in this province over last year.

We will continue to do our job, but we will also continue to say that the process of discussion with the federal government, with other provinces, has to be very much a joint process. We await with great interest the next steps in the process. We await with great interest any semblance of opposition from the federal government, because so far we haven't had much of one.

That has been part of the problem, I think, that we've had so far in this process. We have said, "Here are some clear thoughts, directions, that we would like to move in." What we need is the federal government to acknowledge that those directions are ones they either agree with or don't agree with, or for them to put forward their own positions about what changes they want to bring about.

We're not against the idea, in fact we welcome the idea, of sitting down and continuing to talk about what kind of streamlining could happen in the variety of programs that we are responsible for and that the federal government is responsible for. But again, in order for that to happen, we need to see some clearer positions than we've seen so far from the federal government.

We await with interest those kinds of positions because it is that process that will allow us to be able to sit around the table with other ministers from other provinces and indeed to engage people in this province and throughout the rest of Canada in those significant discussions about the future of programs.

Although clearly I have focused my comments on the area of social assistance, there are many other areas that are affected by these discussions, and those are equally as important to be addressed in this kind of cooperative fashion. There are many more things I could say and would want to say, but I appreciate the opportunity to add a few thoughts in this process and in this debate.

The bottom line for us is we want the process to go on. We want the discussion around the reform of the social security system in this country to take place; we think it's an important discussion that has to take place, but we believe that in doing that, we have to be clearly focused on what we want to see happen and what we want to see that process address. That has to be to help people to reconnect back to the workforce, to address the needs of children, to ensure that as we go through that process, it is not used as an exercise to offload costs on to the provincial taxpayers, and that all Canadians be treated equally, no matter where they live in Canada.

That is not in contradiction to what we also believe, which is that there has to be a way for us to continue, again as the preamble to the resolution says, to support the equalization program which is set out in the Constitution of this country, because that we also support.

We think that is a separate issue from the support for social programs, in this case, social assistance programs, child care programs and other services that need to continue to be supported on an equal footing throughout the country from the federal government.

That is something we believe needs to happen and that is why we continue to stress very strongly that the process has to be a genuine process of discussion, debate and negotiations between the federal government and the various provincial and territorial governments.

**The Acting Speaker:** Further debate?

**Mr James J. Bradley (St Catharines):** Thank you, Madam Speaker, for the opportunity to participate in this particular debate today, although I think it's an unnecessary debate in this House and largely a political exercise. Certainly, if anybody looks at this resolution, it's quite obvious that people are going to support the resolution; there's no question about that. There's nothing new in that at all. The Premier has stated this position on many occasions.

What this debate is about is politics. It's not a rallying cry for members of the Legislature, it's just another opportunity for Bob Rae to bash somebody else other than himself, other than his own government. Members have seen me hold up numbers in this House from time to time, rather than stating who he is bashing on a particular day, but we've heard the Premier. One day it's the federal government's fault, the next day it's the previous government's fault, or it's the Conservative government's fault, or it's the previous Conservative government in Ottawa's fault, or it's big business or it's the banks or it's somebody else, but it's never the provincial government. And nobody's buying it. Unfortunately, nobody's buying it. If you talk to people out there, they're not buying it.

The opportunity is there for the Premier to play a very constructive role. Instead, he and the ministers use every excuse they can to bash another level of government.

I used to sit on a municipal council, and I can recall that municipal councils often used to engage—and still do to a certain extent, but less today—in bashing the provincial government, which was the next level up for them. What I find when you talk to people today is that they no longer buy that. The local levels of government have been really squeezed by this government, have really had the screws tightened against them by this government, not because it wants to be mean but because it says it doesn't have any money, and even when they complain bitterly, you find the population doesn't rally to their side as quickly. The population is saying: "We understand there are new circumstances out there, that the provincial government doesn't have much money. We may not like the way they're managing things, but we understand that we can't have everything we would like to have. We're still going to ask for certain things, but we may not have those delivered."



The government, if it wanted to find a case of one level of government doing in another level of government—offloading, downloading—should simply look at its relationship with boards of education. I well recall that this government was going to have 60% of the cost of education paid for by the provincial government. That number keeps sliding down each year. I understand why it's doing that, but that's a good example.

Yet the Premier doesn't mention that very often. When you're dealing with municipalities and cutting back their grants, or with colleges and universities, which are looking for more money to carry out their responsibilities, the province says, "We're sorry, but you're out of luck." That somehow is all right, but it is not all right for the federal government to do that to a province.

I would like to mention something I find rather interesting. The Premier is engaging in something else I thought he never would. I expect certain people in our society will, I expect certain political people will, but it's what's called Quebec-bashing. It's very popular. If I want to get some popular response in my riding, I can take a run at Quebec and talk about what Quebec has that Ontario doesn't have or that some other province doesn't have. That's good, streetwise politics. I know there are people who play that game, but I never expected Premier Rae to be one of those people.

I stood en masse with the Liberal caucus when we were in government and gave a resounding round of applause to opposition leader Bob Rae when he made an extremely eloquent and impassioned speech in this House, which was very conciliatory, which was very constructive, which was very helpful, when we were dealing with matters of national concern. He always rose to the occasion, and I made sure I was in the House to hear those speeches. So it's sad for me now to see him reduced to whining and complaining about the federal government and bashing Quebec whenever he can.

You see, he never mentions British Columbia or Alberta, which are in the same circumstance as Ontario, or he never mentions Saskatchewan or Manitoba or the maritime provinces; it's always Quebec, because it sounds better politically when you can bash Quebec. It has for some period of time.

I'm not saying it isn't smart politics. I'm not saying that. If he wants to be written down in our history books as a smart politician, by gosh, that's smart politics. But it's not the kind of leadership I had hoped for from Premier Rae, who I respected as a member of this House over the years for playing a constructive role.

I suspect Premier Rae will now pick a fight with Jacques Parizeau. If he were elected, he would certainly want to pick a fight with Jacques Parizeau. That would be great. That would be a diversion of attention from things going on in Ontario. Or Lucien Bouchard: There's a good person to pick a fight with.

What it is is a diversion of attention from problems over which he has direct control, and that is what this is all about. The resolution is all about politics, and that is what I'm addressing this afternoon.

What people in our country, in my view, are looking

for is for governments to work together. They're tired of one level of government bashing another level of government. I seldom agree with Ralph Klein and many of his policies, but one statement he made—I think he was in Ontario at the time—was a suggestion that the Premier of Ontario not spend all of his time fighting with the federal government but address his own problems. More and more, that's what people are looking for us to do, not simply to look for somebody else to bash.

I find it most unfortunate that Premier Rae has decided to embark upon that course of action. I can't imagine a Stephen Lewis, I can't imagine a Donald C. MacDonald, I can't imagine many of the leaders of the New Democratic Party over the years who have denounced that kind of politics enjoying seeing the Premier of the province of Ontario engaging in it. The Premier seems to think he can insult another level of government, can berate another level of government, can blame another level of government incessantly, and then somehow receive from that level of government some favourable consideration.

I will support this resolution, as I think all members do, because all of us, in a parochial sense, are elected to represent people in our province. That's why I think you'll see universal support in this House for that particular resolution.

Ontario has always played a very positive role at the national table. Indeed, when Premier Peterson was dealing with intergovernmental affairs, he invited then-opposition leader Bob Rae to participate, and it was a positive piece of participation at that time. As I've said, go into the Hansard, go into the records of the speeches in this House and read some of those speeches. They read extremely well. You can tell it's a man of integrity and eloquence speaking in those speeches.

That's why it's more out of sadness than anger that I observe Premier Rae now, because he's in very difficult economic and political circumstances, engaging in bashing another level of government. I suspect if it were an NDP government in Ottawa, we wouldn't have this happening. There would be some disputes, but we wouldn't see the degree of fed-bashing we see today, and that is most unfortunate.

I suspect, as I look around the House, that all of us will be supporting this resolution. But let's make no mistake about it: This is all about politics, this is all about finding an enemy outside, and not about the substance of this particular resolution. The Premier has already stated these things, and opposition parties have said that in a general sense they agree with that thrust, and certainly I would make the same case to any federal politician I would encounter as well.

I had an opportunity to watch Sunday Edition last Sunday, with Mike Duffy interviewing Bob Rae.

**Mr Steven W. Mahoney (Mississauga West):** It was a love-in.

**Mr Bradley:** I thought it was Murray Weppel interviewing Bob Rae. I like Mike Duffy. He's one of my favourite commentators. He's really good most of the time, but I watched as he played what we call lob ball, slow-pitch. It was almost as though the questions were

faxed from Queen's Park to Ottawa and were thrown out just that way. I couldn't believe it because, as I say, Mike Duffy is such a good commentator. The Premier obviously has been able to get his message to at least one person in this country, but I suspect it didn't play with anybody else.

The member for Mississauga West is going to provide some incisive and eloquent remarks, in his usual subtle manner, in just a few minutes, so I'm going to yield the floor to him shortly. But we will be supporting this, and we will know that all we're dealing with is a political exercise this afternoon, of little consequence and little meaning.

**Mr David Tilson (Dufferin-Peel):** There's no question that when we look at this resolution—in fact, we don't need to look at this resolution to know we have a problem with our social security system. I must say, when I read this resolution, we have reached a new low in fed-bashing.

I see the minister responsible for dealing with our social security system is in the House today. We've been waiting for some time for him to come forward with reforms. It appears that, as of today, the best he can do—or through his Premier, at least—is to come forward with this type of resolution, which simply puts the blame at the feet of the federal government.

I've written down some of the comments the Premier made in his opening comments in introducing this resolution, and on many of them, there's no question. He says, "There's an obligation of the Premier of Ontario to speak for the people of Ontario." There's no question it is, and he does have an obligation to try and work out arrangements with not only the federal government but the municipal governments on all the many problems we have in this country, but simply to attack the federal government in this way is not an appropriate way to solve many of our problems.

He then says—and this is the Premier—he's looking for signs from the federal government to improve the system. Well, again, I think it's incumbent upon this minister who is now in the House to bring forward his plans.

We clearly have a problem. All three parties acknowledge that we have a problem. Yet the best we seem to be able to do is to attack the federal government for not providing the funding that this government, the NDP government, feels it should be provided.

There's one issue that has been brought up over and over, and that's principle 2 of the five principles the Premier's put forward in his resolution. That says that, "There must be no fiscal offloading from the federal government to the provinces."

I can't believe the gall in this type of resolution when you criticize the federal government for not providing the funding that you think is due to you for the very generous social system that we already have.

You look at the initiatives that have come forward in this province and the cutbacks that have been made to the various partners, whether they be municipalities, school boards, hospitals. I think it's important that we look at

some of those. I know some of these matters aren't on the subject of social assistance, the social security system, but it is an example, some of the examples this government has made with respect to offloading, dealing with principle 2 in the resolution, with respect to the municipalities.

The blue box program this fall will be mandatory for all municipalities over 5,000. The government simply has set aside the municipal recycling support program for 1993-94, which was about \$45 million, and the province really has no idea what it's going to cost. As of this fall, municipalities will be stuck with the bill, notwithstanding the 10-cent tax on beer cans, which is approximately \$50 million each year, and the environmental levy, which is approximately \$35 million each year: a total of \$85 million which is going into the consolidated revenue fund, and now, of course, this government has the gall to say the municipalities will be responsible for the blue box program completely; and that, of course, after the OMMRI organization is cutting the topping-off grants it's been making. Clearly, the recycling issue is in a problem with respect to the municipalities. They're going to be expected to carry the ball.

The issue of employment equity, which has been a big part of this government's plan in the last couple of years, has also been foisted on the municipalities. It's costing millions of dollars to the municipalities around this province to implement the employment equity program. Yet that was done without consultation with the municipalities. It was simply the big hand of the NDP slapping on the municipalities and saying, "You're going to have to put forward this program." While the city of Toronto was threatening to close pools, skating rinks and recreation centres to save \$1.7 million, it maintained an employment equity office which cost more than \$1 million.

So that's what you're forcing, and you're saying, "Do this or else." Those are the very words that the Premier said in his opening remarks with respect to this resolution in criticizing the federal government: "Do this or else." But that's the very thing you're doing to the municipalities and the school boards of this province.

1720

Last summer Haileybury council voted to cut four full-time firefighters because of provincial government cutbacks and the decision not to relocate 200 Ministry of Natural Resources jobs. In Sarnia one of five firehalls had to be closed repeatedly in rotation to save money after the city council was forced to cut overtime. Why? Because of the offloading by the provincial government on to the municipalities around this province.

Metro Toronto lost 94 police officers last summer, and it didn't have the money to fill 300 vacant staff positions. The NDP government has ordered the police to rearm themselves with new firearms after a safety ruling by the labour board, but it hasn't offered the municipalities the money to pay for these new weapons. Again, you're setting standards and expecting the municipalities to foot the bill.

Junior kindergarten, of course, is a favourite topic that's been raised around this province with respect to



education, and you're mandating it. You're saying, "Do it or else, or we're going to cut back on other grants to the municipalities." That threat has actually been levied by the Ministry of Education. It's been rammed down the throats of municipalities without regard to the ability of the school boards to pay for these new programs, all of which is going to have an effect on the property taxpayer of this province.

NDP eligibility enhancements, which have contributed to rising welfare case loads and have contributed to greater expenditures to municipalities for the general welfare assistance program: In 1993-94 municipalities in Ontario were responsible for 16% of general welfare expenditures. Again, I emphasize the gall of this Premier in saying there must be no fiscal offloading from the federal government to the provinces when you're doing more than we would ever dream of with respect to the partners.

The issue of court security in this province: In my own riding of Dufferin-Peel, the town of Orangeville, because the court system is in the town of Orangeville, is responsible for court security, even though the courts serve a wider area beyond the legal boundaries of the town of Orangeville. Again, more offloading on to municipalities of a cost they simply can't afford.

That has to deal with the subject—

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** So you are going to cut them another 20%.

**Mr Tilson:** I'm simply telling you, you've got a lot of nerve coming forward and saying no offloading from the federal government to the provincial government when you're far worse than any government, whether provincial or federal, has ever been in this province.

I can tell you that when you're saying that the issue with respect to this subject is not really whether we're receiving our fair share. Is that the issue, or, as our leader has said, is it the whole mismanagement of our social assistance program?

We're waiting, Mr Minister, for you to come forward with your program. Don't come to this House and put it at the feet of the federal government, saying it's their fault. You know there are ways of dealing with it, yet you're simply doing nothing. Your solution is to blame the federal government, and that's totally unacceptable. It doesn't matter whether it's a Liberal government or a Progressive Conservative government. It makes no difference to you. You're simply saying you can't deal with it. You can't deal with the problem so all you're doing is simply blaming the federal government.

It gets to the other issue, of course, as far as spending is concerned. The member for Carleton read a quotation that was given by a former Liberal Treasurer of this province, and I must read it again because some members haven't heard it. It had to do with a recent interview on TVO program called Fourth Reading and it was made by the former Ontario Liberal Finance minister and Treasurer, Bob Nixon.

**Mr Stockwell:** A fine guy.

**Mr Tilson:** Yes, he was a fine guy, but the fact of the

matter is this is what he said regarding reform and the social security system. This is what he said on February 17, 1994, on the program called Fourth Reading:

"About five years ago we did this [massive review of social assistance programs], we put a huge infusion, unbelievable new infusion, of money under the acronym of SARC, I can't remember what it stands for...Social Assistance Review Committee, that was strongly supported by the NDP and by Ian Scott and the Liberals of Rosedale.... So we took this big bundle of money and dumped it into the welfare program that was all distributed in the most modern and effective way. No one seems to remember that, other than of course now we expect the federal government to say, 'Okay, that is what you're doing in Ontario, so you now have to pay a larger proportion.' My sense is that our programs here are much more generous than they are in the rest of Canada."

That was said by the former Liberal Treasurer as recently as February of this year. I think his statement that the Liberals took this big bundle of money and dumped it into the social welfare program is not only indicative of their lax approach to expenditure policy, but they took a big bundle of money and dumped it into other things like the issue that's coming forward with the member for Mississauga West against the Minister of Housing on the whole subject of non-profit housing.

It was made without thinking and now the poor minister, who's here now, doesn't know what to do with this policy that was set up by a former government. I'm surprised he isn't attacking them. Of course, he's chosen to attack the federal Liberal government. I wait with keen interest for the reforms that are going to be put forward by the minister. They may or may not come. My guess is they won't come. My guess is he has no idea how to solve this problem.

I would recommend that members of the House look at the proposals that have been put forward by Mr Harris, the leader of the Progressive Conservative Party, all of which he has dealt with in his booklet on the topic of welfare reform. When the Progressive Conservative Party was last in government, there were more than half a million less people receiving welfare than there are today.

The proposals of our party in a booklet that Mr Harris has put out include the proposal that welfare benefits in Ontario be set "at 10% above the national average of all other provinces." For seniors and persons with disability, current benefit rates would not be affected. Recipients would be allowed "to earn back the difference between the current rate and the new, lower rate without penalty and without losing their eligibility."

Then the program goes into a number of other things which I'd recommend that you look at. My time does not allow me to deal with the whole issue of the Learning and Earning and Parenting program, the topic of homework assistance centres, child support crackdown and other such matters dealing with welfare reform, all of which I would hope the minister would look at if he is still looking at the proposal for welfare reform in this province.

**Hon Ruth Grier (Minister of Health):** I'm delighted to have an opportunity to speak in support of the motion

put forward by the Premier. Let me say to the members opposite who have described this as fed-bashing or as whining, that nothing could be further from the truth.

This resolution—and I appreciate the fact that having characterized it as “bashing,” some members are at least going to support it—is speaking up for the people of Ontario, speaking up, let me point out, at a time when Ontario is represented in the federal House by a majority of over 90 members of one party who are strangely silent when it comes to speaking up for the best interests of Ontario and, if not us, who at this point in time?

Ontario is firmly committed, as a member of the Canadian federation, to living up to its responsibilities in Ontario and always has been. Part of those responsibilities include providing equalization payments to Ottawa for distribution to less well-off provinces. That has always been a fact of our federation and certainly one that we support.

We also understand that the federal government has debt problems and has to take whatever steps it can to reduce its debt on behalf of all Canadians, just as we have done here on behalf of the people of Ontario. But we also firmly believe that federal-provincial cost-sharing programs are a partnership. They were created jointly by the federal government and by the provinces, and both levels of government should have a say in how those programs are delivered. In a true partnership one partner never takes unilateral action at the expense of the other.

Publicly funded health care is probably the most successful public policy ever introduced in Canada. As New Democrats, we all on this side take enormous pride in the fact that it would not have been introduced without the actions of the NDP government or CCF government in the province of Saskatchewan. But it was introduced and the federal government played a key leadership role in introducing it nationally.

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The Canada Health Act was passed on the assumption that there were two equal partners and that the costs would be shared equally between those partners. Recent actions by Ottawa have begun to call into question that assumption. That's why a debate of this nature today is so very important for the people of Ontario.

Federal health care dollars come to the provinces through the established programs financing fund, along with money to help pay for post-secondary education. Since 1982 the federal government has introduced six unilateral changes to the EPF funding. These changes have reduced federal transfers to the provinces for health care and education by billions of dollars. They have cost the province of Ontario alone about \$18 billion, money we would have spent on post-secondary education or on health care. In this fiscal year alone Ontario's total losses in this area will be \$2.9 billion.

These federal cutbacks have been carried out without any consultation with the province, a province that we thought was an equal partner in these programs. Certainly they've been carried out without the consent of any of the partners. I believe those changes have been carried out in a way that is tremendously unfair to the people of Ontario.

The federal government makes these changes and has the responsibility for sharing the costs of health care, but Ottawa does not deliver health care; we do. When Ottawa cuts \$1 billion from our health care budget, it does not have to deal with the consequences of those cuts to hospitals, to health care centres, to communities throughout the province; we do. When Ottawa extends patent protection to the patent drug manufacturers at a cost to this province of over \$1 billion over 10 years, it doesn't have to deal with the consequences of that; we do here in Ontario.

The people of Ontario feel both resentment and anger after a decade of mistreatment at the hands of the federal government. We've been forced to respond to those federal cuts.

That means operating the programs with less money here in Ontario and with less money in Ontario than is available in other provinces to run the same programs. What we've had to do is try to make do with less and to do better with less.

Let me point out that Ontario and our government have rejected the approach that some other provinces have taken, especially the province of Alberta, which has taken a slash-and-burn approach to cutting back on services. Perhaps that's the kind of revolution that members of the third party are suggesting should take place here in Ontario. We categorically reject that approach.

In 1990 our government recognized the need to make changes in the way in which we deliver health care, not simply from the point of view of containing costs but in order to deliver better-quality programs and to deliver programs in a way that promoted good health and the prevention of disease, as well as improved quality in the provision of services that treat disease. We have done that.

During the 1990s health care costs in this province rose 10% a year. The people of this province know we can't continue to do that. The people of this province know the \$17 billion we spend on health care is sufficient to provide good health care services, but we have to spend it better, we have to spend it more wisely.

Only by doing that can we afford to increase programs, as our government has done, in the areas where improvement is needed: in the expansion of cancer care, for which I announced a \$15-million increase last year; in the expansion of dialysis treatment, which members of this House have had a great deal of interest in; in the expansion of long-term care.

Let me remind the members of this House that our government is committed to broadly expanding funding for both institutions and community-based services to serve the needs of the elderly and the people with disabilities, a \$600-million expansion over a period of six years, and much of that money has already been put into the system.

We're only doing that because we are working with other elements of the health care system to improve the way in which they deliver services. We're taking advantage of the improvements that have been made in hospitals by decreasing the length of stay and by providing



services more efficiently, to reinvest the savings they make in the other needs that the people of this province have identified.

We have made enormous progress in changing the health care system and in expanding and improving the way in which we deliver programs in the past three years. We are committed to continuing to do that, whether it is by avoiding fraud and managing the system better—and I announced the introduction of a new health care card just last month—or whether it's in expanding our ability to review the way in which the providers expend service, use OHIP, and putting in place ways of monitoring that better. We understand the need to do that. We understand the need to manage the system better so we can afford to maintain it in the future.

Our universally accessible, affordable health care system is something that defines us as Ontarians, something we are committed to maintaining for the people of this province, not getting into the kind of two-tier system my friends on the right would suggest when they talk about user fees, when they talk about allowing the private sector to deliver health care services. That is not what this government is ever prepared to see happen.

We believe that in order to protect our health care services we must have from the federal government an equitable transfer of the funds that the people of Ontario have a right to expect. We object to getting only 29 cents in social assistance dollars while others get 50 cents. We object to getting only 27% of federal training money when we have 38% of the national workforce. We will not forget the discrepancies in federal funding for new Canadians. Only when those discrepancies are addressed will Ontario be able to deliver the kinds of services the people of this province deserve, need and want.

**The Deputy Speaker (Mr Gilles E. Morin):** The member's time has expired. The member for Mississauga West.

**Mr Mahoney:** Thank you, Mr Speaker, for the opportunity to speak to this resolution. I find somewhat interesting the lack of drama that surrounds what should be considered a very significant debate. The fact that the Premier spoke and left and is apparently in his office, not concerned about—

**Hon Mrs Grier:** He's out in the municipalities to explain the problems we have.

**Mr Mahoney:** Well, it's this Premier who has come out and said all kinds of things are wrong. It's a resolution of the first minister in this place, yet there doesn't appear to be any level of urgency. It's really rather interesting. It leads me to arrive at the conclusion that other of my colleagues have made in this place—

**Mr White:** Where is your leader? Why is she the only leader not in the House?

**Mr Mahoney:** Just settle down. You had an opportunity to speak. If you thought this was so important, why didn't you go to your whip and tell him you wanted to talk in support of the Premier's resolution?

Others have suggested that this is nothing more than cheap politics. I would suggest it is classic cheap politics. It's a government that is obviously in disarray, having

recently just announced a budget that, to quote my colleague—the member for St George-St David gave a description of the recent budget that was very good. He said, "In this budget there is nothing for everyone." I thought that was rather appropriate. We have a budget that's been put out here that, as he said, has nothing for everyone in the province, and so the government's trying to deflect criticism away, trying to say to the people of Ontario, "Let's talk about everything that's wrong with the federal government."

Then, just to prove that this is nothing more than cheap politics, we have the third party introducing an amendment saying, "In the absence of federal leadership...." Isn't that amazing? Six months into the mandate of a new majority government, we have the people who brought you the GST, the people who believe in going south of the border to do their shopping, standing up and saying there is a lack of leadership at the federal level, and putting in an amendment, something to do with their American revolution document on workfare. I don't know what it's all about.

At a time in this place when we should be understanding what the government's agenda is, when my House leader and I attend weekly meetings and are told every single Thursday morning that we will receive a list of the government's agenda, will get a list of the items to be debated and the agenda in this place, what do we do? We take an entire afternoon to talk about a resolution where the Premier can go on kicking the province of Quebec and the federal government.

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Why don't we deal with the business we can actually do something about? To the Minister of Education: Why don't you bring in a bill so we can debate it in this place? To the Minister of Labour: Why don't you introduce your amendments to the Workers' Compensation Board so we can put them on the table and debate them? That's what the people want to talk about. They don't want to talk about some political, ineffectual, unimportant, insignificant resolution, so insignificant—

*Interjections.*

**The Deputy Speaker:** The member for Simcoe West, you're not in your seat. The member for Etobicoke West, you're not in your seat. Order, please.

**Mr Mahoney:** I don't know who's in their seat, but in any event, it makes it rather obvious to me that all this is just an attempt to waste a legislative day in this place when we could be getting on with some other reforms and the changes that need to be dealt with in the province of Ontario.

I don't know where all this stuff comes from. No fiscal offloading: they want to have cooperation between the federal government and the province. What motherhood and apple pie is this? Of course you do. Why didn't you say that to your transfer partners when you brought in the social contract?

**Hon Mr Cooke:** We did.

**Mr Mahoney:** You did not. Why didn't you listen to the municipalities that came forward and said: "We've got alternatives. Why don't you listen to our alternatives

and let us find the money within our own budget, and we'll find the savings for you?" You rejected their proposals and unilaterally foisted upon your transfer agencies your view of how the world should unfold, and you have the unmitigated gall to stand up and demand—

I heard somebody over there say, "This isn't political; we just want to talk." If all you want to do is talk, I'll give you the Prime Minister's phone number in case you don't have it. You can simply call Ottawa and say: "We want to talk. We've got some concerns. We'd like to discuss them." No, you've got to come up with some political resolution that will do absolutely nothing for the people in the province of Ontario, who are withering under the weight of carrying this government in your ineptitude and your financial penalties that you continue to foist upon them. You stand up and say there are no tax increases at the same time as we're debating taxes that will increase taxes to corporations by \$100 million, that will increase fees around the province by \$45 million.

It's delightful to see the Minister of Transportation, with his \$66-million revenue increase in photo-radar. The Minister of Health, who spoke, should talk to you, because she wants to figure out how to inexpensively put photographs on the health cards. I have an idea: Use photo-radar. It's cheap. You might only get the back of the head as they go flying by, but you can identify it and put their licence number on it and save a lot of money. Use photo-radar. There's an ingenious idea for you to save money.

Let's talk about the realities. The realities are that this is a political resolution, and the Tories' amendment is nonsense and is a political resolution just like their American revolution, which is all nonsense. And you're not putting forward anything, any kind of common sense that would say we want to find a way to do things better in this province, and there are all kinds of opportunities to do that.

Bob Rae is saying, in essence, "Do what I say, not what I do." That's what I hear. He looks in the mirror and says: "This can't be my problem. This must be somebody else's problem. I'm Captain Ontario." I even saw him with his leather jacket with "Ontario" on the back. It looks wonderful. "I'm Captain Ontario. Here I am. I'm going to save the taxpayers of the province of Ontario from these horrible people in Ottawa and from the impact of these separatists in Quebec. I, Bob Rae, am Captain Ontario." If he thinks anybody is going to be fooled by that kind of nonsense, he'd better look in the mirror again.

The reality in looking in the mirror is that he could recognize that Ontario had its only balanced budget in 25 years in the year ending March 31, 1990, six months before Bob Rae became the Premier of this province. Since then, the four Bob Rae-Captain Ontario-Floydian budgets have spent approximately 25% more money than has been raised and the provincial debt has more than doubled to over \$90 billion.

Why doesn't he put a resolution to somehow figure out a way to deal with how we're going to pay the \$90 billion, maybe even \$100 billion, in debts that will be the legacy of this particular government?

They think that the people out there are stupid, you know that? This Premier and this party think that the people of the province of Ontario are stupid. Let me tell you, they're not. They know that you guys are "in the same boat now," to quote Mr Rae's song, and you're sinking in a sea of red ink. You are out of control financially and you're simply trying to pretend that some brand-new government with six months in office is somehow the problem here. The third party, with nine years in office, is trying to suggest that all of a sudden there is a lack of leadership at the federal level.

You would find it hard to believe, after my critical speech, that I find myself forced to vote for this terrible resolution, because it's nothing but motherhood and cheap politics.

**Mr Stockwell:** Let's just read the resolution. At the end it comes down to the "therefore, be it resolved" sections. Number 2, "There must be no fiscal offloading from the federal government to the provinces." This is somewhat motherhood.

"There must be no discriminatory treatment against Canadians living in Ontario, and the existing discrimination must stop.

"Any reform must reinforce, and not undermine, Canada's record as a compassionate society."

That does hit the tickeroo, Mr Speaker.

"Any reform must be the product of genuine federal-provincial negotiations, and joint decision-making, and not the result of unilateral federal action."

It is motherhood; there's no doubt about it. It reminds one of those days when you were sitting on council and there wasn't really a full agenda and someone would bring in a notice of motion. Those notices of motion used to say, "Isn't the provincial government terrible? We're not getting our fair share of the revenue. Let's pass a motion unanimously and send it to every other municipality in the province and have them endorse it and then send it on to the province," like anybody read it.

So it's similar to that, much the same, I guess, as we've become in this Legislature sort of the largest special-interest group. We're the largest special-interest group here today and our special-interest group's resolution today is: "Here's what we're going to whine to the federal government about: You don't give us enough money. Go out and borrow more and send it to us or else tax the people of Ontario more because disproportionately more comes from Ontario, then collect it and send it to us and go further in debt."

This doesn't make any sense, to tell levels of government: "You're not borrowing enough and you're not far enough in debt. Go out and borrow more and send it to us and let us spend it and allow us to run up our \$10-billion deficit higher."

I suppose what it comes down to is they left out a few of the phrases here. After number 5 they should have said, "And be it resolved that the federal government ensure the Toronto Maple Leafs win the Stanley Cup," and "That all crime must stop," and number 8, "There must be sufficient sun and rain in this growing season to satisfy all farmers." That's about as realistic as it comes



down to as to whether or not these are going to be adopted.

We've seen the Premier in the last few, short years—I guess he was referred to as being in his Captain Canada mode when he was in opposition, in protecting Canada and fighting for the rights of all Canadians and the constitutional debates and his front-and-centre approach and his attitude during those times. He basically put on his Captain Canada cape.

Now, because he's getting close to an election and he's very low in the polls, he's decided to become Captain Ontario. There's little political mileage right now in being Captain Canada and if he ever hopes to resurrect this government, he's got to put on a Captain Ontario cape. The way his political career seems to be heading, maybe after the election we can assume he'll put on his block captain cape and he'll become block captain for the Neighbourhood Watch program on his street, because that's about as opportunistic as he's going to get with respect to this particular program.

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I think it's almost shameful that we in this province have been reduced to debating resolutions put forward by the Premier that speak to nothing more than the federal government and asking, begging, whining about the transfer payments. The transfer payment situation has always been this way. It will always be this way. I don't care who they elect, whether it's a Liberal government or an NDP government federally; the transfer payments are always going to be disproportionately allotted around the country.

I ask the members opposite, what difference does the federal government take in allotting the transfer payments to provinces than what you do with transfer payments to municipalities? I ask you, do you believe that you give equal treatment to all municipalities when transferring moneys from the province to municipalities? I ask, does anyone over there really believe that when you transfer money to municipalities everybody gets the same amount? Everybody gets proportionately the same amount? Everybody is treated exactly the same? I ask you, is that how you treat municipalities? Well, of course it isn't. Of course you don't.

When it comes to education, go see your Minister of Education and ask him how much money your provincial government transfers to Metropolitan Toronto and the Ottawa-Carleton region when it comes to education transfer payments. Nothing. You don't transfer them any money.

**Hon Richard Allen (Minister without Portfolio in Economic Development and Trade):** Don't be ridiculous. It's because the commercial assessment is so dramatic. You are using a totally different tax base. It's stupid.

**Mr Stockwell:** Well, there's the point. The point is made very clearly here. The argument by the minister for—I'm not certain what his minister-without-portfolio role is. But the argument is saying, of course the assessment base is so large in those areas. Well, the argument the federal government uses is, the province of Ontario

has also a significant amount of wealth; they also have a significant amount of taxing powers; they also generate a lot more money than, say, Newfoundland or Prince Edward Island. So the argument is put forward to you exactly the same as the argument that you give municipalities: There are wealthier sections within this country than others.

When we transfer money municipally from the provincial level, we do so depending on the amount of assessment they can generate and the tax burden on the local municipal taxpayer, and I believe the federal government probably thinks in the same vein.

**Mr Kimble Sutherland (Oxford):** We're not talking about equalization payments.

**Mr Stockwell:** Oh, I understand. When they come forward on this debate they suggest, as I see in the numbers, that when you talk about Quebec, they receive more money. When you talk about the east cost, they receive more money. And I ask the members of this government, why is it they don't treat every municipality exactly the same if they believe in the equitable system of transfer payments? Because some regions are wealthier than others.

Now, what is the point we're making here? The point is that in the past four or five years, this region, the province of Ontario, has lost significant amounts of revenue due to what I consider to be a serious recession—I don't blame the government for that—and some manhandling of the financial programs in this province by the present government.

Further to that, you have to accept one premise from the federal government: Your welfare payments and social service payments are significantly higher than other regions in this country. It's a fair comment: They are higher. So the federal government says, "If you want to bring your payments in line with the rest of the country, then your disproportionate amount of shortfall significantly reduces."

They do not have an open chequebook any more. They can't afford to have an open chequebook, for the same reason that you don't have an open chequebook: They're broke. To simply demand through a resolution from the province's Premier to the Prime Minister saying, "We demand more money regardless of your economic situation," is as irresponsible as special-interest groups coming to you and saying, "You must give us more money because we need it."

You've consistently in the past three or four years turned down a number of special-interest groups, a number of municipalities coming to you looking for money, because you don't have any. If anybody in this province should understand the situation the federal government is in, when it was a Tory government or when it's a Liberal government, it should be you people, because you've had to say no to so many people when it came to funding requests, you should understand when a senior level of government says, "We don't have the money."

**Hon Ms Gigantes:** We say no equally.

**Mr Stockwell:** You don't say no equally, I say to the

Minister of Housing. You say no completely disproportionately, arbitrarily in some cases, and I understand that that's always been the way.

I look to the Minister of Community and Social Services, who when he was chair of the school board would oftentimes speak about the unfair expense Metropolitan taxpayers would make towards education because we didn't get any provincial funding from the provincial government. Those words were fair comment. I remember you saying those kinds of things.

Now, when you get to this level of government, you don't speak about that any more. All you speak about now is the unfairness of the federal government's transfer payments to the provinces, for heaven's sake. What is consistent about that, I say to the minister. Where's the fairness in all that? Where's the equity?

I remember full well when that minister of social services would say, "All we want is a meeting to straighten out the fairness and the inequities in the system that penalize the taxpayers of Metropolitan Toronto, because they're paying unfairly for the costs of education that they aren't paying in other regions in this province."

Here I sit today. All he did was change the name. He just replaced Ontario ripping off the taxpayers and inserted the federal government ripping off the taxpayers. What's fair about it? Nothing.

For me to stand before this Legislature and start demanding from senior levels of government, "Spend more money," would be thoroughly and completely inconsistent with what I've been preaching for the past 10 or 12 years. I don't think any level of government should be increasing their expenditures, period, case closed, whether it's a municipal government, whether it's in education, whether it's a provincial government or, God forbid, whether it's a federal government, because, Mr Speaker, I'll tell you this: There are very few governments probably in this North American market that are in worse shape than us, but there is one that I know of, and that's the federal government. Financially, they're in worse shape when it comes to their debt and their deficit than even this province is in.

#### *Interjections.*

**Mr Stockwell:** I don't even begin to want to debate whether or not it's a province or a federal government that should be talking about whose fault it was. All I know is, we are fundamentally broke, and to sit here and waste an entire day telling a federal government that runs deficits in the \$38-billion and \$40-billion range, "Borrow more money and give it to us. Give it to us, the province, so we don't have to increase our deficit from \$10 billion or \$11 billion," is absolutely absurd. It's fiscal madness—absolute fiscal madness.

**Hon Mr Allen:** Nobody is saying that. It's your imagination.

**Mr Stockwell:** Nobody's saying that. Let me say, where is the federal government going to get its money? A fisherman on the east coast is less important than our citizens? A farmer in western Ontario is any less important than our citizens? An out-of-work environmentalist in the logging industry in BC is any more important than

the citizens of Ontario? Please, folks, give me a break. Get this Premier to think straight, for heaven's sake. If you think you've got fiscal problems, take a look at the federal issue.

Let me say this about the 98 Liberals who are now at Parliament Hill—

**Mr Bradley:** It's 97.

**Mr Stockwell:** Jag Bhaduria isn't there.

Let me just say this: What the 97 Liberals are going through today is what the 72 NDP went through in 1990. They've got a red book that isn't worth the paper it's printed on and they've got a lot of promises that they can't fulfil. Their political role will go much the same, I predict, as this government's role will go—went—and that's because no longer will the people accept resolutions like this. No longer will the people accept this request to spend, spend, spend. No longer will the people accept provincial and federal and provincial and municipal arguments about who gets the right to spend taxpayers' money.

I know, if there's one person in this Legislature who understands that, it's the minister of social services, because now I know you have been on all sides of this argument. You have been on all sides of this fight. Remember when 60% funding for municipal education in Metropolitan Toronto was your cause célèbre? Remember the day when you used to stand up and make those comments? Now I see you saying that's no longer your debate. You've just moved your target from the provincial government to the federal government, and it's appalling.

**The Deputy Speaker:** Mr Sterling has moved that the motion be amended. Shall the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

I declare the motion lost.

We will now deal with Mr Rae's resolution, government notice of motion number 27. Shall the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell, as previously agreed with the House leaders.

*The division bells rang from 1802 to 1812.*

**The Deputy Speaker:** We will now vote on Mr Rae's motion. All those in favour?

#### *Ayes*

Abel, Allen, Arnott, Beer, Bisson, Boyd, Bradley, Brown, Buchanan, Carter, Charlton, Cleary, Cooke, Cooper, Coppen, Crozier, Cunningham, Dadamo, Daigler, Duignan, Eddy, Elston, Eves, Farnan, Fletcher, Frankford, Gigantes, Grandmaître, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huguet, Jamison, Johnson (Don Mills), Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kormos, Kwinter, Laughren, Lessard;



Mackenzie, MacKinnon, Mahoney, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, McGuinty, McLean, Miclash, Mills, Murdock (Sudbury), Murphy, O'Neill (Ottawa-Rideau), Owens, Perruzza, Phillips (Scarborough-Agincourt), Pilkey, Poirier, Poole, Pouliot, Rae, Ramsay, Rizzo, Ruprecht, Silipo, Sterling, Sutherland, Swarbrick, Turnbull, Villeneuve, Ward, Wark-Martyn, Waters, Wessenger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Wilson (Simcoe West), Winninger, Wiseman, Ziemba.

**The Deputy Speaker:** All those opposed will please rise.

**Nays**

Stockwell, Tilson.

**The Deputy Speaker:** The ayes are 90; the nays are 2. I declare the motion carried.

It being past 6 of the clock, this House stands adjourned until 10 o'clock tomorrow morning.

The House adjourned at 1816.

# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Brampton South/-Sud	Callahan, Robert V. (L)	Hamilton Centre/-Centre	<b>Christopherson, Hon/ L'hon David</b> (ND) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
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Brantford	<b>Ward, Hon/L'hon Brad</b> (ND) Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances	Hamilton Mountain	<b>Charlton, Hon/L'hon Brian A.</b> (ND) Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Bruce	Elston, Murray J. (L)	Hamilton West/-Ouest	<b>Allen, Hon/L'hon Richard</b> (ND) Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation
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Chatham-Kent	Hope, Randy R. (ND)	Kingston and The Islands / Kingston et Les Îles	Wilson, Gary (ND)
Cochrane North/-Nord	Wood, Len (ND)	Kitchener	Ferguson, Will (Ind)
Cochrane South/-Sud	Bisson, Gilles (ND)	Kitchener-Wilmot	Cooper, Mike (ND)
Cornwall	Cleary, John C. (L)	Lake Nipigon/Lac-Nipigon	<b>Pouliot, Hon/L'hon Gilles</b> (ND) Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Don Mills	Johnson, David (PC)	Lambton	Mackinnon, Ellen (ND)
Dovercourt	<b>Silipo, Hon/L'hon Tony</b> (ND) Minister of Community and Social Services / ministre des Services sociaux et communautaires	Lanark-Renfrew	Jordan, Leo (PC)
Downsview	Perruzza, Anthony (ND)	Lawrence	Cordiano, Joseph (L)
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Durham Centre/-Centre	White, Drummond (ND)	Lincoln	Hansen, Ron (ND)
Durham East/-Est	Mills, Gordon (ND)	London Centre/-Centre	<b>Boyd, Hon/L'hon Marion</b> (ND) Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
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Durham-York	O'Connor, Larry (ND)	London South/-Sud	Winniger, David (ND)
Eglinton	Poole, Dianne (L)	Markham	Cousens, W. Donald (PC)
Elgin	North, Peter (Ind)	Middlesex	Mathyssen, Irene (ND)
Essex-Kent	Hayes, Pat (ND)	Mississauga East/-Est	Sola, John (Ind)
Essex South/-Sud	Crozier, Bruce (L)	Mississauga North/-Nord	Offer, Steven (L)
Etobicoke-Humber	Henderson, D. James (L)	Mississauga South/-Sud	Marland, Margaret (PC)
Etobicoke-Lakeshore	<b>Grier, Hon/L'hon Ruth</b> (ND) Minister of Health / ministre de la Santé		
Etobicoke-Rexdale	<b>Philip, Hon/L'hon Ed</b> (ND) Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto		
Etobicoke West/-Ouest	Stockwell, Chris (PC)		
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition		
Fort York	Marchese, Rosario (ND)		
Frontenac-Addington	<b>Wilson, Hon/L'hon Fred</b> (ND) Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement		



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Nepean	Daigeler, Hans (L)	St Catharines-Brock	Haeck, Christel (ND)
Niagara Falls	Harrington, Margaret H. (ND)	St George-St David	Murphy, Tim (L)
Niagara South/-Sud	<b>Coppen, Hon/L'hon Shirley</b> (ND) Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs	Sarnia	Huget, Bob (ND)
		Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)
Nickel Belt	<b>Laughren, Hon/L'hon Floyd</b> (ND) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Scarborough-Agincourt	Phillips, Gerry (L)
Nipissing	Harris, Michael D. (PC)	Scarborough Centre/-Centre	Owens, Stephen (ND)
Norfolk	Jamison, Norm (ND)	Scarborough East/-Est	Frankford, Robert (ND)
Northumberland	Fawcett, Joan M. (L)	Scarborough-Ellesmere	<b>Warner, Hon/L'hon David</b> (ND) Speaker / Président
Oakville South/-Sud	Carr, Gary (PC)		Curling, Alvin (L)
Oakwood	Rizzo, Tony (ND)	Scarborough North/-Nord	<b>Swarbrick, Hon/L'hon Anne</b> (ND) Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Oriole	Caplan, Elinor (L)	Scarborough West/-Ouest	Wessenger, Paul (ND)
Oshawa	<b>Pilkey, Hon/L'hon Allan</b> (ND) Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales		McLean, Allan K. (PC)
		Simcoe Centre/-Centre	Wilson, Jim (PC)
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Ottawa East/-Est	Grandmaître, Bernard (L)	Simcoe West/-Ouest	<b>Martel, Hon/L'hon Shelley</b> (ND) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
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Oxford	Sutherland, Kimble (ND)	Timiskaming	Kormos, Peter (ND)
Parkdale	Ruprecht, Tony (L)	Victoria-Haliburton	Arnott, Ted (PC)
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Peterborough	Carter, Jenny (ND)	Wellington	Harnick, Charles (PC)
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Prescott and Russell / Prescott et Russell		Willowdale	Dadamo, George (ND)
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Quinte	O'Neil, Hugh (L)	Windsor-Riverside	Sorbara, Gregory S. (L)
Rainy River	<b>Hampton, Hon/L'hon Howard</b> (ND) Minister of Natural Resources / ministre des Richesses naturelles		Malkowski, Gary (ND)
		Windsor-Sandwich	Turnbull, David (PC)
Renfrew North/-Nord	Conway, Sean G. (L)	Windsor-Walkerville	Beer, Charles (L)
Riverdale	<b>Churley, Hon/L'hon Marilyn</b> (ND) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	York Centre/-Centre	<b>Rae, Hon/L'hon Bob</b> (ND) Premier, President of the Executive Council, Minister of Inter-governmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Noble (PC)	York East/-Est	Mammoliti, George (ND)
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Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Thursday 12 May 1994

# Journal des débats (Hansard)

Jeudi 12 mai 1994



Speaker  
Honourable David Warner

Président  
L'honorable David Warner

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

*50th anniversary*

*1944–1994*

*50<sup>e</sup> anniversaire*

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 12 May 1994

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 12 mai 1994

The House met at 1002.

Prayers.

## PRIVATE MEMBERS' PUBLIC BUSINESS ADOPTION DISCLOSURE STATUTE LAW AMENDMENT ACT, 1994

## LOI DE 1994 MODIFIANT DES LOIS EN CE QUI CONCERNE LA DIVULGATION DE RENSEIGNEMENTS SUR LES ADOPTIONS

Mr Martin moved second reading of the following bill:

Bill 158, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of Adoption Disclosure / Projet de loi 158, Loi modifiant la Loi sur les statistiques de l'état civil et la Loi sur les services à l'enfance et à la famille en ce qui concerne la divulgation de renseignements sur les adoptions.

**The Deputy Speaker (Mr Gilles E. Morin):** Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for his presentation.

**Mr Tony Martin (Sault Ste Marie):** It is indeed a great honour for me today to be able to stand here in this place and present to the House for its consideration a package that has been worked on by a number of people over quite a period of time: the Minister of Community and Social Services, Tony Silipo, and his staff, and members of various coalitions and organizations across the province and across the country who have an interest in this subject, a very personal and vital interest in this subject.

It is in fact a package that is very much part of a larger agenda which we as a government in this province have been aggressively moving on and doing some creative and courageous things around, an agenda that in our country and certainly worldwide is gaining in momentum. It's an agenda of empowerment and of allowing people to reclaim their right to celebrate who they are and where they come from and a right to know everything there is about that, something that many of us take for granted in our society today.

Today's package is about integrity, honesty and sharing, and particularly about openness. Openness means empowerment for those who are directly affected. This special contract is better served when each participant has an equal say in the process. We wish to readdress the balance of justices not practised in the current legislation.

I want to focus for just a few moments on the philosophy surrounding adoptions and say that openness will create better relations for everybody involved in this process. The present laws are discriminatory in nature and create great difficulties when it comes to people trying to work their way through it so they can get the information they need to get on with their life.

This bill is supported widely across this province, and

indeed across the country, but most particularly here in this jurisdiction, by all known adoption advocacy groups, and they see this piece this morning as a major first step towards meaningful reform of the adoption process.

This bill represents the overwhelming support of adoption advocacy groups province-wide. These groups include, but are not limited to: the Adoption Reform Coalition of Ontario; Parent Finders Inc, Toronto; the Adoption Council of Ontario; Adoption Support Group, from Barrie; Adoption Awareness Support system, Thunder Bay; Citizens Concerned With Adoption, out of Ottawa; Parent Finders, from the Hamilton district; Family Finders, from Kitchener-Waterloo; Adoption Awareness Self Help Group, from Timmins; and Search-line, in Nepean.

These groups are made up of everyday Ontarians who share a common role, purpose and understanding. They are members of what has classically been known as the adoption triangle: They are birth parents and birth relatives, members of families who for various reasons had to relinquish their biological children; they are adult adoptees, those who were surrendered at birth or afterwards and have since grown to adulthood; and they are adoptive parents, couples who chose adoption as a viable way to create and participate in a loving and caring familial relationship.

Statistically, one in five Ontarians is touched by adoption either directly or indirectly. There have been over 206,000 adoptions in Ontario since the early 1920s, and presently there are 9,000 adoptees waiting for a search to be done on their behalf by the reunion registry staff. Currently, there is a seven- to 10-year wait for service. It is costly and not as effective as many of the private practitioners' methods used by various search and support groups. It has become obvious that the reunion registry does not work, nor does it encourage honesty and integrity in its practices.

There is absolutely no doubt that adoption plays an integral and essential part in the formation of families in Ontario and in Canadian society. However, it is also a modern institution in desperate need of reform.

1010

This bill represents a crucial first step in addressing some of the inadequacies that have been perpetuated under the present legislation. These adult adoptees, who at the time of the adoption had no choice in the arrangement, find themselves in a position of intense bewilderment surrounding some very basic issues of identity. This bill can readdress these problems and retain one of the most basic human rights, one that every other citizen in Ontario has, and that is the right to know where you came from.

We have seen numerous government studies, commissioned reports, briefs to successive governments, petitions by adoption advocacy groups over the years, with subsequent agreement by these governments that change was coming. We have seen the McLelland report in 1976 calling for open records; we have had the ground-breaking Garber report in 1985 which called for open records; and most recently the adoption disclosure consultations from October to May of last year, in which province-wide consultations were undertaken by ministry staff with adoption groups and private practitioners also recommending a more open approach to adoption.

We have supporting data and stats from other jurisdictions around the world that have open records: England, Scotland, Australia, Israel, New Zealand and some states of the US, to name a few. What I've read is, they are working and working well, and the practice of disclosing identifying information upon request has not proved to be harmful to any of the parties involved. Our closed and antiquated system encourages oppression, dishonesty and secrecy, and no longer reflects the will of the majority of its participants. We have an opportunity here to take a progressive stand and one that other provinces will soon emulate.

To date, I have not seen any organized opposition to the required changes, although I know there are some people out there who have some concerns. I invite members in the House who are sceptical that these new laws would threaten the stability and function of those adoptive and birth families and the role that adoption plays in Ontario to come forward with these names and organizations.

Key arguments that have been levelled against the rights of the adoptee having access to identifying information are: the historical argument that this kind of legislation would breach the right of privacy promised the birth parents by the social worker who facilitated the adoption as a matter of policy. This contract does not exist. There was never a contract that stipulated such a demand. Besides, even if there is a verbal agreement, the third party in the process, the adoptee, was not informed nor did he or she have any say as to the lifelong nature of the conditions of the right-of-privacy philosophy. This bill would readdress the discriminatory nature of this misunderstanding.

This next step in the reform of adoption legislation is for each party, once they have reached adulthood, to have equal access to identifying information on persons they are related to through birth or adoption. This means that birth relatives would have access to the adopted names of the adoptees once they have reached the age of majority. This rebalancing of the rights would address the issues of the right of kinship inherent in the adoption, regardless of the adoption taking place. There would be a contact veto in effect for the adoptee as well as the birth parents, with identical provisions for each.

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I am pleased to have this opportunity to participate in the debate on second reading of Bill 158, which would amend the Vital Statistics Act and the Child and Family Services Act respecting adoption disclosure.

As you know, this is a subject that must be treated with the utmost sensitivity. Sadly, I see no real commitment to sensitivity in Bill 158.

For more than 20 years the NDP and indeed the Premier himself have made written promises that they would give adult adoptees access to their original birth records. In fact, I recently received a letter from a member of the Adoption Reform Coalition which stated, "We feel betrayed [by] Mr Silipo[s] lack of response and...the failure of the NDP to keep their word to 'open adoption records to adoptees and their parents.'" Now, when this government has the power and the opportunity, it is retreating, it is regressing.

As late as December 6, 1993, the Minister of Community and Social Services wrote to members of the Adoption Reform Coalition that he, the minister, not someone else, would "pursue amendments to adoption disclosure provisions." In other words, the minister would present a government bill.

Follow-up meetings promised in February and March never took place. It's now obvious that those promises will not come to pass. I remind the House that Bill 158 is a private member's bill, not a bill introduced by a minister as a government bill, and I suspect that adoption disclosure reform is not a priority of the NDP government. Some interested parties are labelling this bill as a weak-kneed and lame-duck attempt to right wrongs being presented by a dying NDP government.

Of special note is the fact that there is no commitment, no commitment at all, to startup costs to initiate the changes contemplated in Bill 158. Each of us knows that the minister will not or cannot proclaim the bill until the resource issues are settled.

The questions that stare us in the face are, will the Minister of Community and Social Services really approach the Treasurer, will the Treasurer support his request, and when will this all happen?

I again remind the House, this is a private member's bill. A positive financial commitment is therefore much less than certain. There's absolutely no evidence in the recently released budget of 1994 for the implementation of this complex piece of legislation to have the necessary accompanying resources.

In a meeting in January of this year, I urged the minister to undertake changes within the parameters of existing legislation. In his letter of December, which I've already referred to, this minister committed himself to "take all action possible within the confines of existing legislation." I challenged and encouraged the minister to do so, as soon as possible.

Regretfully, I must say that to this point I personally have seen very little evidence that these modest initiatives really got off the ground, initiatives such as publicizing the adoption disclosure register, the production of a pamphlet containing information about agencies willing to provide counselling or assisting in a search for birth relatives or improvement of accessibility to application forms. Each of these initiatives could be a small but helpful step that would indeed give adoption disclosure a higher profile in our province.



Administrative and regulatory changes, such as broadening existing discretion on the part of the registrar and the reallocation of staff resources, could provide some overdue efficiencies to a very overburdened registry. However, many believe, and I agree, that the opening of the records, as suggested in Bill 158, could be, and likely would indeed be, the best cost-saving measure this minister could take.

1020

If I may turn to the no-contact veto provisions of Bill 158, which are complex but important, these provisions place the onus on the birth mother to press charges or obtain a restraining order should she consider her privacy violated, and they impose financial sanctions which some view as very difficult. My hope is that the compliance will be as high in Ontario as it is in other jurisdictions if this bill ever sees the light of day, thus making very difficult circumstances as positive as possible.

I believe that Bill 158 represents a Queen's Park solution which does not address many real concerns. The real concerns of birth parents, adoptive parents and indeed some adoptees are left wanting. If I may quote again from the Adoption Reform Coalition of Ontario, "The limited proposals of Bill 158...do not...meet the demands of support group leaders from most of the...province...other than as a first step in a procedure to be continued as quickly as possible."

Some members of the Adoption Reform Coalition have suggested that an outside body at arm's length from the government, such as the Ontario Law Reform Commission, for example, could have been assigned the task to develop comprehensive reform which would've taken into account all the legal, social and economic ramifications of adoption reform in a systematic and professional way. But of course that was not attempted.

The fact that this is a private member's bill confined within the very limited debate of but one hour demonstrates that even in the light of significant and growing problems with the disclosure dilemma of people in this province, it is still very, very clear that the minister does not have cabinet support for his initiative, and we won't even know until after today's vote if he has his caucus's support.

Despite my lingering concerns about the NDP government's commitment to its promises and some of the provisions of Bill 158, I will be supporting this bill on second reading. I do, however, believe that placing it in a legislative committee will give this issue the public profile it deserves and give all affected parties across the province an opportunity, with sufficient notice this time, to present their views.

It is true that in late 1992 and early 1993 consultations took place, a process which has been described by some as undemocratic, biased in intent from the outset and indeed limited in scope. This very limited consultation process was by invitation only and took place in but six centres across the province. Now we have a very limited debate.

I end as I began. This is a subject that must be treated with the utmost sensitivity, and it has a broad area of

interest of many across this province. The members of the NDP government have an opportunity to take real, positive initiatives. I challenge them to do so.

**Mr David Turnbull (York Mills):** I'll be extremely brief on this. I rise to support this bill today, but I do want to get some issues on the record.

It certainly is true that successive governments have failed to act on repeated recommendations that it should be easier for adoptive children to get access to their records, and when I say "adoptive children" I misspeak myself; I should say "adults who have been adopted."

I have been lobbied, to use the popular word, by one of the staff who works for our caucus and is just somewhat alarmed about some of the implications, and I hope that I've been able to assuage some of her concerns. She feels very strongly, the person who lobbied me, that it is tremendously important that it be a mature person who receives this information, and she felt that somebody who was legally of age, at age 18, with all of the pressures of growing up, may not be the best age to accept information about birth parents. But it is indeed important that we make the information available, and this bill goes a step towards that. I believe the government should have brought in more sweeping legislation, as it has promised in the past. Instead, they've sloughed it off on a backbencher bringing forward legislation. That's unfortunate, because what we do need is more sweeping changes to legislation.

I will tell you of a situation that occurred in my riding. There is the aunt of a child who is in the care of a crown wardship who has visitation rights for this child. I believe the child is six or seven at this moment and has a good relationship with the aunt. The child has been put up for adoption, and the aunt is most concerned that the visitation rights will be removed if indeed the child is adopted, based upon information that she has been given.

She wrote to a federal member last September, and the letter was then passed on to Marion Boyd's office. After repeated requests for information as to what was happening with the letter, she was always told, "We're doing further research and we can't sign off on the letter, but an answer will be forthcoming." Finally, in March of this year, my constituent received a letter which reads:

"Although in my former portfolio as Minister of Community and Social Services I had responsibility for the Child and Family Services Act, in my current position as Attorney General I do not have any direct authority to review that act. Accordingly, I can only suggest that your concerns be addressed to my successor, Tony Silipo, the present Minister of Community and Social Services...."

This is six months later. This constituent had continually been told, "We're working on a response." Why didn't they tell the constituent in a more timely fashion?

My constituent has written the following:

"I'm attaching the letter I received from the Attorney General's office, which I found to be very disappointing. I was extremely angry to receive such a letter after patiently waiting for a response for over six months. This doesn't help my situation at all.

"I find it difficult to believe that Marion Boyd does not

have 'any direct authority to review that act.'

"Where does this leave me? Am I to start all over again with Mr Silipo, or am I simply to give up at this point?"

"The matters that we have been discussing since September will soon be finalized."

What she's speaking about is the adoption. She doesn't want to lose contact with the nephew, with whom she has a loving relationship.

So I think the government should move expeditiously with a piece of government legislation to respond to this. I notice the minister is in the House, so I would say this is something which reflects very badly on your government. When there is a concerned relative corresponding with the government, they shouldn't be treated this way. We should have a reasonable response so that the constituent can appropriately go to another minister if that happens. I will leave that with you, Minister, and I hope maybe you will respond during this debate.

**The Acting Speaker (Ms Margaret H. Harrington):** Further debate.

**Hon Tony Silipo (Minister of Community and Social Services):** I am glad to have the chance to both be here this morning and to spend a few minutes speaking on this bill. I know it's not particularly useful—usual, rather—that a minister participate necessarily in private members' debates. But I wanted to be here because I think and I hope that my presence will be useful. I wanted to express in this debate, as I have done both privately and publicly, my own very strong support for this bill and my thanks particularly to the member for Sault Ste Marie for taking this initiative and putting forward this piece of legislation.

I have to say, before speaking directly to the issue, that not having participated for some time in discussion on private members' bills, I find the atmosphere hasn't changed very much from when I used to attend these sessions very regularly. What we hear, at least judging so far—I don't want to predetermine what we're going to hear from other opposition members who have yet to speak on this, but I find it a bit unfortunate, particularly on an issue like this, that members of the opposition tend to spend much more of their time focusing on attacks on the government than dealing with the issue of the particular piece of legislation that's in front of them.

1030

While I understand the views around the issue of private legislation versus government legislation, I would also hope that we not lose sight of the issue that's before us. The importance, it seems to me, at the end of the day is whether we can achieve legislative changes to this area, which is a very important area. I think people have at least noted that and I'm glad to see, at least from the speakers we've heard so far, that there has been support expressed for the bill even with all the reservations they may have about either the content and/or the fact that there isn't government legislation.

In any of the discussions I've had, in any of the letters I've written, I've been quite clear in saying that there is not as yet a position of the government to support or bring in or give me the authority to bring in legislation.

That's a question of fact and I think that's clearly there. What we will see today is the expression of this Legislature in what I hope will be support of this bill.

I think that is significant, because I hope also, particularly for members sitting across the way but I know very strongly also felt by members on this side of the House, that the role of private members is something that needs to be supported and strengthened. If a member brings forward a piece of private legislation, as the member for Sault Ste Marie has done today, and if that warrants support, we should give it support and we should collectively put all of our energies as individual members of this Legislature to have the issue carried forward, have the issue debated and result in some changes and some improvements.

I will continue to do everything I can to support the direction that's in this bill. I hope the bill will make its way to committee. I will certainly be supporting that, because I think there are some issues that need to be discussed. We will continue from the ministry to pursue, together with the Ministry of Consumer and Commercial Relations, the issue of additional resources that are required to put this piece of legislation into action if it is passed, but I hesitate not at all in saying to you that I will continue to do whatever I can as the minister responsible to ensure that the issue is pursued and that the changes in the law take place, because I believe very strongly that they need to take place.

I believe that what is in this bill strikes at the heart of what people have been saying to us for some time, which is that people, particularly people who are adults and have been adopted, have a right to the original statement of birth, and this bill would give them that right. We have to balance that right with the right of birth parents who do not want to be contacted. This bill also gives those individuals that right by the establishment of a no-contact veto; that added to the steps that we have already taken.

I'd be quite happy to send again to the member for Ottawa-Rideau a list of the changes and improvements we have made already under the present legislation and the ones we are working on, fairly actively I might say, beginning with better publicizing of the registry, which is right now under the present law the only mechanism available for people to be able to make the connection. It shows that within the confines of the existing law we are doing as much as we can to pursue this issue.

There's a lot more I would want to say, but given that other people on this side of the House also want to speak, I will sit down. I'll just conclude by reiterating my complete support for this piece of legislation, and I urge all members of the House to support it.

**M. Bernard Grandmaitre (Ottawa-Est):** Je dois féliciter le député de Sault Ste Marie pour avoir le courage et la volonté intestinale pour présenter un projet de loi privé. Je dénonce cette façon-là de présenter un projet de loi privé parce que je crois que nous avons tous une grande connaissance dans ce genre de projet de loi.

On vient de recevoir l'assurance du ministre des Services sociaux et communautaires en nous disant que oui, le projet de loi de M. Martin va passer devant un



comité parlementaire. Je regrette que le ministre des Services sociaux n'ait pas eu le courage de présenter ça au nom du gouvernement ; alors on emploie un député de l'arrière-ban. Je suis fier parce que j'en suis un et je suis fier que M. Martin ait eu le courage de le faire. Mais par contre, depuis mon arrivée à Queen's Park, on parle d'un tel projet. Je me souviens, en 1990, des grandes sorties du premier ministre de l'Ontario et de tous les gens qui voulaient faire partie du gouvernement NPD. C'était une priorité que de donner accès aux gens qui voulaient avoir accès concernant leur adoption.

Ce matin on se retrouve dans une Chambre presque vide et on parle d'un projet de loi aussi important que celui-ci. Je dénonce encore le manque de courage du Ministre et du gouvernement de l'Ontario de ne pas avoir le courage de dire : «Oui, c'est la volonté du gouvernement. C'est la volonté de tout le monde en Chambre.»

On se cache, et je ne veux pas dire qu'on se cache en arrière de celui qui présente le projet de loi aujourd'hui, mais on emploie d'autres outils pour dire que le gouvernement fait quelque chose. Ce n'est pas le gouvernement qui fait quelque chose aujourd'hui concernant ces gens inquiets depuis trop longtemps. On se cache derrière les arrière-bans pour présenter un projet de loi aussi important.

It's unacceptable for us to sit or stand this morning having to listen to the minister responsible for this type of legislation just stand and say, "I will be supporting this bill, and this bill will go to a committee." Why didn't the minister have the courage to do it on his own? It was part of your agenda. You never had the courage to do it. You received thousands of letters, I'm sure, and petitions from people asking you to move on this very important bill.

This morning I will support the private member's bill because it's long overdue and I'm anxious to go into committee and to fully debate this very important bill. I'm sure the Minister of Community and Social Services will receive many more letters criticizing him personally and criticizing the government for not taking on that responsibility, because I think it's most important for all of us today to support this bill and to show the government that it lacks the courage, because it had the support.

Whenever a government doesn't introduce a bill entitled a government bill, it shows that they don't have the courage and they have to use other tools to improve their situation and to try and satisfy the needs of Ontarians. I will support the bill, but I denounce the lack of courage of this minister.

**Mrs O'Neill:** On a point of order, Madam Speaker: The member for Ottawa East has reminded us there is no quorum in the House, and I think for this important bill there should be.

**The Acting Speaker:** Could the clerk please determine if a quorum is present.

**Acting Clerk Assistant (Ms Lisa Freedman):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Acting Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** The debate may resume.

1040

**Mr Cameron Jackson (Burlington South):** I am very pleased that we'll have an opportunity today to devote an hour to debating private member's Bill 158 dealing with adoption disclosure and amendments to the various acts in Ontario.

I am going to be supporting this bill, as I have consistently indicated, both personally and on behalf of the Progressive Conservative caucus, our support for these reforms for so many adoptees in this province.

I hasten to add, though, that it's unfortunate that the process is unveiling itself in the fashion that it is, because it is extremely important that the citizens of Ontario understand how important and how sensitive an issue this is, yet it will, in and of itself, be mired in a whole debate about political second-guessing.

I guess the groups that represent adoptees in Ontario have every right to be angry and almost cynical with the process, because, in all truth and honesty, they've been spoken to by three different governments, they've seen the results of three substantive investigations and commissions looking into this issue, yet today, as we sit here in Ontario, they are no further ahead in terms of accelerating the agenda for reform in order that they can have the dignity of access to their birth records.

I want to caution all members that we all own a bit of the responsibility for the fact that we have failed a very large number of Ontario citizens.

I'm pleased that the minister is in the House; it's a rare occasion. At least to have his presence during private members' time, as he indicated, is important to this debate. He has invited both the Liberal Party critic and myself to a variety of meetings, and I want to thank him for that. I must say I don't think we've made an awful lot of progress in the process of those meetings, but they have been open and frank discussions, and for that reason much of what we are about to say in this debate is also fair and open, for the record.

First of all, let me say how pleased I am that the minister found a backbencher who would sponsor this bill. I want to commend the member for Sault Ste Marie for coming forward. We had been told by another member of the NDP caucus last June that the minister and the ministry were seeking a member of caucus to carry forward this bill. Although the member for Sault Ste Marie may be late to this public debate, he is to be commended for using his precious private member's time for such an important issue. I want to publicly thank him for that.

When he states in his opening paragraph that this is part of his government's larger agenda, moving aggressively and straightforwardly on a rights issue, I think he's exercising a literary licence which is extreme at best.

In fact, three of the adoption rights organizations were present at Queen's Park earlier this week on Monday, in the shadow of Mother's Day, to demonstrate their concerns to everyone here at the Legislature in their press conference. Holly Kramer, who is a reform activist with Parent Finders Inc, indicated, and I quote from her comments:

"While the content of the bill agrees with our proposals, many are outraged that the NDP government would use the lame vehicle of a private member's bill to introduce it, when they have the power to enact such legislation."

Those are not my concerns. Those are the very people this bill purports to help. This is the area of concern: There has been considerable debate about the content of the bill and it is fully supportable. It is thoughtful. In areas that are extremely sensitive there is a compromise which I think is supportable. We have not heard serious objections from all the participating families and their emotions that are involved here.

However, what is of concern is how this bill might actually get enacted. So there are very legitimate concerns. Some are interpreting this sort of machiavellian approach to bringing forward to the House a bill and then allowing it to die in obscurity on a committee agenda or not ever to be raised by the government—that is a legitimate concern.

All members of the House will be familiar with the debate on the social worker act. A private member from the government brought it forth. Has anybody heard of or seen the social worker act for Ontario since it was last debated during private members' time? The answer is no. It has fallen—it hasn't even fallen to the bottom of a list, it's fallen right off the table at cabinet discussions. So there are legitimate concerns.

When Holly Kramer makes these statements, she has good reason to be concerned. The minister has expressed comments. The minister has said he hopes we can achieve legislative changes. I hate to break the news to you, but you're the person who sits at the cabinet table.

Minister, I would like to say that I'm really anxious to hear what it is you're doing over there. When I attended the meeting on adoption reform, you said, "Honestly, Cam, we can't bring it forward because I've got welfare reform to do and I've got child care reform to do and I'm under pressure to get resolutions to our ministry's responsibility with the Young Offenders Act."

Minister, I hate to break the news to you again, but your cabinet has taken all those things off your plate. According to your legislative agenda for this year, you have a lot of time on your hands. We would really like you to get more active and involved. If the issue is who's listening at the cabinet table on children's issues, that's another issue, and I would like to relieve you of the responsibility for that. I think that's a larger issue for your government and of course the Premier of Ontario.

I want to also indicate and contribute to this debate about a new and emerging compelling reason why we should be listening to this bill and we should be approving it and we should be moving quickly to approve this bill. One of the reasons is that, as you know, the bill says that one year after a non-disclosure registry is created we'll allow the process to begin.

If the minister hasn't even gotten a confirmation about approximate costs from the Minister of Consumer and Commercial Relations, who'd be responsible for the registry, we could be two or three years, even if we got

approval today, the way this legislation is drafted.

But one of the compelling arguments has to do with a child's right as a young adult to have access to some of their medical history. Their medical history is part of their biological history, which is not the purview of the adoptive parent but of the birth parent.

I have a case that I brought to the Minister of Health's attention, not that this is a typical case, but a case where an eight-year-old child in my constituency—the children's aid society lied to the adoptive family. It said this child came from a healthy, happy family, there are no medical problems.

This child is suffering serious problems with his health and what we've been able to uncover by finding the birth parent—the mother's 28 years old, she's confined to a wheelchair and she's gravely ill, the father was a persistent drug user. This information at the time of adoption, if it had been shared, may have changed the parents' minds in terms of adopting, but more importantly, it holds the key to the child's understanding of their medical problems and their condition.

I say to the members of this House, there are some very important rights issues about a child's right to have their medical access to opportunities for their own health and safety. There's much more I would like to say. I'm concerned that there's no costing for this bill. I'm concerned that the government is perhaps going to move it to committee of the whole House or off to a committee for study.

In conclusion, if this government has indicated that there be no more social assistance or rights legislation for any citizen in this province until adoption rights for same-sex couples are approved by this government, I want to say to this government that's an offensive set of priorities. These people have been before the government for 17 years asking for justice and to be heard, and I challenge this government to respond.

1050

**Mr Gordon Mills (Durham East):** I am very pleased to stand in my place this morning and support my colleague and friend the member for Sault Ste Marie in what I see as a very important piece of legislation that we must be committed to, crossing party lines to pursue this once and for all.

I think, and I have shared this with a lot of adopted people, that adopted people have the right to know who they are. They have the right to know who they are just as much as a person from a normal married family. That child has a right to know who he or she is.

The reason I say that information needs to be up front is because these days we live in a society that has become very health conscious, very conscious of their background, where they come from, their ancestors. Why I think it should be public is because, for instance—and I'm going to talk purely from a human issue here—if you come from a family with heart problems, it would give you an opportunity to tailor your lifestyle to deal with that. But if you're an adopted person you don't know that, you can't deal with that.

Likewise, as you get older and your own family grows,



how on earth can your own family deal with some of these medical problems? For instance, you know that cancer is becoming very prevalent in our society and breast cancer is very prevalent in women, and I think that adopted people need to know the background of their family so that they can advise their own children and their grandchildren that "You come from a family that is prone to some certain disease and you should be that much more aware." Also, the adoptee needs to know her history of psychological background too. All this is very important.

I think that the confidentiality of birth parents is more myth than reality. It's a fact that since the 1960s the full birth surname of the child, which was usually the surname of the birth mother, was always on the adoption order papers to the adoptive parents. So it doesn't really take, in my opinion, too much ingenuity to track certain facts down.

I was so pleased to stand in my place this morning and hear the minister talk of his desire to see this go forward. I'm rather upset that we all seem to get a partisan sort of gibe in here, blaming this person and that person. I don't blame the previous government or the other government. I say it's time to act, it's time to get together and it's time to push on with this.

I just want to briefly talk, and I know some of my colleagues want to talk, about the process in Great Britain, where I'm from. Since 1975 in the United Kingdom people have been able to apply to the Registrar General for access to the original birth certificate, and that birth certificate gives the name of the mother and the original record of birth. As far as I know, this hasn't presented any great problems. At the same time, it also has no restrictions on people to use their own initiative or their ingenuity if they want to follow up who their natural birth parents are.

I know in Great Britain they've got an adoption contact register. Once you've identified and you've got your birth certificate and you can't find your birth parents, you can put your name in an adoption contact register and then that will be matched with someone who may also want to put their name on it and that comes to match.

I don't see any great problem at all about this. I think, and I'm going to say again, adopted people want to know who they are, they have the right to know who they are and I implore all members of this House to support this bill, and may it go to committee, may we have some really meaningful debate and get this out into the open.

I thank you for this time, Madam Speaker.

**Mr James J. Bradley (St Catharines):** I regret I have a minute and 32 seconds to try to speak on a bill today, which is ridiculous, but that's the way it goes, I guess, in this Legislature.

I would like to speak at great length on why I oppose this piece of legislation. I spoke on a bill in October 1978 which was a very small movement in the direction the member is talking about. It's a very emotional debate, and I understand strongly the views on both sides of the issue and I appreciate them.

I have some very close friends who have gone on the

search and found their birth parents. I also have people I know who are adoptive parents. I admire people who will take on that responsibility. It's difficult. There are a lot of challenges when there's an individual, a couple out there who are prepared to adopt a person, and some of the real emotional stress that can result about the age of 14, 15, 16 and 17.

In addition to this, I worry about the birth mother or the birth parents who have made a decision at an early stage in their lives, only to have, many years later when they've had a new life out there, made a new start, somebody knocking on the door and saying: "Guess who's here? I'm here to see you." It's a great disruption for that person's life.

As I say, I wish I had a lot more time to discuss this matter, but I will not be supporting it. I appreciate the member's sincerity. I appreciate the sincerity of those who are promoting this. But for the same reasons I've opposed my own government and the Conservative government previously for it, I do so today.

**Mr David Winninger (London South):** I also am pleased to rise in support of Bill 158. As a lawyer in private practice for 10 years before I was elected in 1990, I dealt with adoption in a variety of contexts.

First of all, like many other lawyers, I participated in step-parent adoptions. But as well, when acting on the child representation panel of the official guardian, there were children I represented who had been taken out of homes where the mother or father, or both, were unable to continue to provide a warm and nurturing home for the children, and frequently these children, unfortunately, were adopted to adoptive parents by the children's aid society.

Finally, as a lawyer, one of two in London licensed to do private adoptions, I frequently was in a position where parents had written to me offering a home for children they weren't able to bear themselves and would be sometimes desperately seeking knowledge of children whose parent or parents might be willing to have them adopted.

But I always thought to myself, "Ultimately, whether it's a step-parent adoption, a private adoption or a children aid's adoption, these children are going to grow up and they will want to know where they came from," and what I see is an increasing demand for access.

We know that access is quite limited under the present adoption disclosure registry because both birth parent and adopted child have to consent to that sharing of identifying information. But these days I think attitudes have changed substantially. There's more openness. There's more sharing of information. Frequently, adopting parents will allow more visitation between the adopted child and the birth parents.

We're also seeing more children who were born on first nation reserves being repatriated to the first nation once their ancestry becomes known to them, and this is important for those cultural ties.

There are strong advocates, I know, for opening adoption records completely. I think, though, this offers a very balanced package. First of all, it starts with the presumption that every adopted child has the right of any

ordinary citizen to know about their family history, particularly, as my colleague from Durham said, for medical or, sometimes, psychological reasons. I'm told this need to know their parents, to know their siblings, sometimes becomes so overwhelming that it actually interferes with their everyday life.

1100

On the other hand, though, there is a lot of confidential information in these records—social history, home studies—and there are many natural parents who have legitimate and valid concerns about the effect it would have on their present-day lives, and possibly turmoil, particularly in those delicate situations involving rape or incest, for the full particulars to become known. There's also the concern that there was an agreement years ago to enter into a contract for adoption, and now these parents may feel they've put that part of their lives behind them and are very reticent to have it reopened.

So I find the ideal of a no-contact provision a very appealing one, where those birth parents, and I imagine they will be the minority, who choose not to reopen these contacts can have that provision enforced by registering on the register, having under this provision one year to do so. I do hope there would be widespread public education around that. But for those parents who want to maintain active contact with those children, who don't want to view them from afar, who may want to share updated medical information with them, information regarding their family or cultural backgrounds, this kind of legislation is a godsend.

Alberta has passed similar legislation on second reading, and I also know that in Australia and New Zealand this no-contact provision has worked very well in 90% to 95% of the cases, and no harm has resulted where it's been breached.

**The Acting Speaker:** The member's time has expired. Now the mover of the motion, the member for Sault Ste Marie, has two minutes to respond.

**Mr Martin:** I want to thank all those who contributed to the debate this morning, particularly those who are supporting this important piece of legislation. This bill amends the Vital Statistics Act to give adult adopted persons access to all the information contained in their original statement of birth without requiring anyone else's consent. This bill also establishes a no-contact register to be administered by the registrar general of the province. The bill also amends the Child and Family Services Act to ensure that counselling is available but is no longer mandatory.

Therefore, I call on all members of the House to support this bill. I believe there is broad support for these amendments that will empower adoptees with the vital information about their history.

Finally, I ask all members to drop their partisan politicking on such a vital matter, to work cooperatively with me in committee so that we as legislators representing the needs of the people of Ontario can begin to address the inequity and the secrecy and allow all affected parties to reclaim their fundamental rights.

Thank you again for this opportunity, and I look

forward to discussion with members of the House and others in the broader community out there who want to participate in making sure that this bill indeed responds to the very sincere and strongly felt needs of the groups that are part of this triad, who have waited so long and are now anxious to see this happen quickly.

**The Acting Speaker:** There will be a vote on this bill at 12 noon.

Orders of the day.

**Clerk Assistant and Clerk of Committees:** Ballot item number 56, 105th order, second reading of Bill 141, An Act to amend the Labour Relations Act, Mr Mahoney.

**The Acting Speaker:** The member for Mississauga West.

**Mr Steven W. Mahoney (Mississauga West):** Thank you very much. I'm pleased to rise and speak in support of a private member's bill—

**The Acting Speaker:** Would you move the motion, please?

**Mr Mahoney:** Oh, I have to read it into the record. I don't even have a copy of it. How am I supposed to read it into the record?

**Mr Jim Wilson (Simcoe West):** Do you want a copy of my Bill 142, Steve?

**Mr Mahoney:** Bill 141 is An Act to amend the Labour Relations Act. Pardon me for being such a neophyte.

LABOUR RELATIONS AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI  
SUR LES RELATIONS DE TRAVAIL

Mr Mahoney moved second reading of the following bill:

Bill 141, An Act to amend the Labour Relations Act / Projet de loi 141, Loi modifiant la Loi sur les relations de travail.

**The Acting Speaker (Ms Margaret H. Harrington):** Mr Mahoney has moved second reading of Bill 141, An Act to amend the Labour Relations Act, and now Mr Mahoney has 10 minutes for his presentation.

**Mr Steven W. Mahoney (Mississauga West):** You see how eager I am about this bill? I just can't wait to get on with the debate. I know there's going to be widespread support, certainly from the member from that area—thank you very much, Mr Wilson—who's just provided me with a copy, and I'm sure from members' opposite.

One of the reasons that I think and hope there will be widespread support is that we are not calling, in this bill, for the total elimination of successor rights in Bill 40, and I know how important Bill 40 is to this government. I well remember, as I'm sure you do, the rancour and the level of debate that occurred in the province, the billboards and everything, the whole campaign that surrounded Bill 40. While I certainly don't agree with the bill, I remember the strong defence on the part of the Minister of Labour and indeed the Premier and the entire government.

I just want to be clear that while on any other given day I would be quite prepared to debate the problems



surrounding Bill 40, I think we have an opportunity here this morning, with this private member's bill, to do something that, as the member for Oshawa said, would be in a non-partisan way that could in fact resolve a problem. Let me explain, first of all, where this came from, and then what the problem is.

Some time ago, his worship Raymond Barker, the mayor of the town of Collingwood, wrote a letter to my leader, Lyn McLeod, dated January 31, 1994, so this has been around for a little bit. He informed Mrs McLeod that the town of Collingwood had formed an association of interested parties in appealing to the National Transportation Agency of Canada with regard to the closure of certain rail lines that would impact greatly on the business community in Collingwood and indeed in Barrie.

What we have here is CP and CN applying to the National Transportation Agency to actually close sections of rail lines because, for their purposes, being large railways operating nationwide lines, it is not profitable for them to run a line between Barrie and Collingwood. That's what really started this, from my perspective, and led to the introduction of this bill.

It has expanded, though, beyond just the communities of Barrie and Collingwood, although it is of critical significance, as I'm sure the member for that area, Mr Wilson, will tell us. He'll tell us about some of those specific problems in those communities, where there are some estimates of as many as 700 jobs being at risk if something is not done here.

What we're talking about is providing an opportunity for communities like Collingwood. The mayor has formed an association to try to get an amendment to Bill 40 that would allow for these associations to acquire the rail lines.

You might ask, why do they need an amendment to Bill 40? In essence, what section 64 of Bill 40 says—and it's there for a purpose—is that if you close down a business, you can't turn around and open it under a new name and thereby avoid assuming the rights and responsibilities under the collective bargaining agreement that went with the old company. I understand that. I understand that that particular thing is important to the NDP and indeed important to labour.

We're not asking the government to scrap section 64 for these purposes. To give you an example, there are, I understand, 17 collective bargaining agreements that apply to this one section of rail between Barrie and Collingwood. So a new operator coming in without the resources and the backup of CP or CN says: "I can't assume all of these responsibilities. I would go broke. I'd go out of business. I can't afford 45 or 55 employees to simply run a spur line, almost, between the communities of Collingwood and Barrie. If I can buy this short-rail line and make it profitable, I can operate it with two, three, four or five, at the most, employees."

I recognize that there's job loss involved here, but surely the government and the union would understand that those jobs are equally in jeopardy if nothing is done on this exemption, because the rail line is applying to the transportation agency to shut it down, to abandon it. It will simply grow weeds. Maybe a snowmobile club will

take it over and turn it into a snowmobile run. Better than nothing. But why not allow it to continue to function as a rail line?

1110

Somebody's got to do it, and if it's not the government doing it, which I'm not proposing, then it's going to be the private sector. What would possibly be the motivation of the private sector? Could it be they'd like to make some money out of this? I think that's fair; I don't have a problem with that. It would also be that they want to continue shipping their supplies, their finished products, their raw materials, whatever it is, between those two communities, perhaps to other transportation terminals that would then access southern and southwestern Ontario and perhaps even the United States of America.

The reality is that it's a very simple request from these people. They're saying to the government: "Don't scrap your section. Stand by your principles of supporting that section of Bill 40." But to the members of the government, who, if they decide not to support this bill, can defeat it quite easily, you have a simple opportunity, without impugning the integrity of Bill 40, without even impugning the integrity of section 64, to say to communities like Barrie and Collingwood and indeed communities all over the province, "We understand and we want to help you keep those rail lines open, and therefore we're going to support a bill that simply grants an exemption."

I think it's a win-win. This has been a huge issue, about the successor rights, in the communities that are affected around the province, and people are very concerned. It's not just wind, it's not just hot air. These are people who are concerned for their jobs.

There has to be some common sense applied, and I would ask members to seriously look at what the implications are, because there is a deadline to this. June 17 is a deadline where this particular line in question may well be abandoned. Once it's abandoned, there is not going to be an opportunity. A large company's not going to come in and assume all the responsibilities under the labour contracts. Once it's abandoned, there will be layoffs issued by CN in this particular regard, because it is not going to continue, through some magnanimous gesture, to operate something that, to it, is surplus.

That's the problem. We can get mad at the railways if we wish. We can say, "Why are the big railway companies doing this?" The facts are that big railway companies in this country are really undergoing a major metamorphosis, a change. They are faced with reality just like everybody else. It seems almost every day that we hear about businesses that are reorganizing and recognizing the change when governments, all governments of all stripes, fail to recognize those changes that are required.

This is a very simple, short bill. It is very specific. In my view, it is innocuous in so far as the government is concerned. It does not gut their legislation, it does not compromise their principles, yet it says to communities like Barrie and Collingwood, "We understand, and we're prepared to help."

I would plead with members, who would notice that I'm not being, in this particular debate, my usual rancor-

ous, testy self. I say to the member for Durham East, because this is very significant for those communities, that it is important we understand that this is not about differences in principles between the Liberals and the Conservatives and the New Democrats. As a government, as members over there, you will get letters thanking you for supporting this, you will get phone calls thanking you for supporting this, you will get people who will call you up and say, "By supporting this private member's bill, you saved my job," and that will be very important. I would ask for all members in this House to give strong consideration to supporting Bill 141.

**The Acting Speaker:** Each party has 15 minutes to debate Mr Mahoney's motion.

**Mr Jim Wilson (Simcoe West):** I want to begin by expressing my support for this bill and complimenting the member for Mississauga West for joining me and my colleagues in our fight to maintain the rail lines and, in the process, save jobs in Ontario. While I wish we were debating my bill, Bill 142, which is virtually identical to the member for Mississauga West's, except my bill is more detailed, I am pleased that we are dealing with this important issue. I should point out for members of the public that the member for Mississauga West simply won the draw a little quicker than I did and his bill came up prior to mine. But I am pleased, as I said, that we're dealing with this issue today.

I do feel, though, that it's unfortunate that we even need to be here today in the middle of May debating legislation that common sense suggests we should be adopting in order to save thousands of jobs in Simcoe county and perhaps many thousands of jobs more across Ontario. I find it unfortunate that the provincial government is quite stubbornly playing brinkmanship with the economic future of Simcoe county and its residents.

The government has known of the significance of this issue since 1992, when I wrote to the Minister of Labour warning him of the economic dangers contained in his government's Bill 40 Labour Relations Act changes. I told him then that CN knew of five potential private investors who were interested in purchasing abandoned rail lines. However, these private investors were scared off by the new successor right provisions introduced by the NDP government's Bill 40, and those provisions made these short-line rail purchases cost-prohibitive.

Regrettably, the government didn't listen then and it refuses to act now. More than a year later, in October 1993, I wrote again to both the Premier and the Minister of Economic Development and Trade pleading with them to amend the successor rights provisions of Bill 40 so that private investors could purchase the Collingwood-to-Barrie rail line which CN applied to abandon. Unfortunately, months passed while a succession of government ministers—Economic Development and Trade, Labour, Transportation, and Agriculture—all stated that they were working on a resolution to this problem.

On March 21, the first day the Legislature came back after the winter recess, Mike Harris and I asked the Premier what he was doing to save the 2,000 jobs that would be lost in Simcoe county if CN abandoned the Collingwood-to-Barrie rail line. A full six months after

my letter asking him to show leadership and to save jobs, the Premier could offer nothing when we asked the question in this Legislature on March 21. The Premier could not even say there had been any tangible movement on the issue.

However, to the Premier's credit, on that day he did meet with officials from Collingwood and with me to discuss this matter, and he pledged during that meeting in his office to act immediately to help find a solution.

But here we are again, almost a full two months later, still waiting for the Premier's solution. The government still has not been able to get all parties around the table to negotiate a settlement. The government refuses to move on the most viable option, the commonsense option, and that's amending the Labour Relations Act, as suggested in this bill and the bill I've tabled. Regrettably, the clock continues to tick away on the Collingwood-to-Barrie rail line, and the National Transportation Agency will decide the fate of the line on or before June 17 of this year.

My bill, Bill 142, and the bill we have before us today provide that solution. Simply amend the successor rights provision of section 64 of the Labour Relations Act and the problem is solved. Private investors will invest in rail lines; CN will not abandon; jobs will be saved and will remain and hopefully expand in Ontario.

But this government will not amend Bill 40. Regardless of what common sense suggests, they do not want to be seen as once again backsliding and risk alienating organized labour. They believe that a short-line operator, who may employ a total of eight to 10 employees if they do buy the line, will somehow sit down and negotiate with the CN unions that have as many as 17 collective agreements. The Premier believes that a private entrepreneur will come in and the first order of business will be to sit at a table and negotiate 17 collective agreements into one. This is pie-in-the-sky thinking on the part of the NDP government, a recognition that it doesn't know how business operates.

I urge all members of the government, come to your senses, save the jobs in Simcoe county and Ontario, and support this private member's resolution.

1120

**Mr Mike Cooper (Kitchener-Wilmot):** I'm hearing the words "common sense" and "simple solution." Let me start off very clearly here.

Recent negotiations concluded by the Wisconsin Central Railroad in the purchase of the Algoma Central Railway included a labour agreement with the affected unions. In this case, the unions agreed to waive their successor rights in order to negotiate a new agreement.

If we're talking common sense, what is wrong with bringing in all affected parties and all involved parties? This is what I can't understand coming from the opposition parties.

This isn't a Bill 40 issue. Right now, the three key ministries—Transportation, Labour, and the Ministry of Economic Development and Trade—have agreed to formulate a corporate strategy aimed at finding solutions to the short-line rail issue in this province.



**Mrs Yvonne O'Neill (Ottawa-Rideau):** On a point of order, Madam Speaker: We're again talking about something that's important, particularly important to a certain part of this province, and there's not a quorum present.

**The Acting Speaker:** Would the clerk please determine if a quorum is present.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** The member for Kitchener-Wilmot may resume.

**Mr Cooper:** I think what we're doing here is getting into a philosophical debate. They're talking about an exemption. There's no need for an exemption in this case. What we want to do is bring the involved people, who are the workers that are being abandoned also, into the negotiations.

I think you'll find in most cases you aren't going to find 12 collective agreements; you're going to find a situation where the unions will get together—

**Mr Jim Wilson:** Seventeen.

**Mr Cooper:** —17, whatever you want to talk about—and they'll bring it in, because there's no way a union wants to service a single employee. So you'll find a negotiated settlement within the union movement where you'll have one union representing all the affected people that will be maintaining their jobs on these rail lines.

As I was saying, the first step we've done as a government is there's been an interministerial work team of senior representatives from the Ministry of Transportation, the Ministry of Economic Development and Trade and representatives from CN. The team is currently identifying and obtaining information needed to develop solutions for the proposed abandonment of rail service in the short term for the Simcoe county area, and in the longer term for abandonment proposals on a province-wide basis.

We all know that short-line companies have very small, flexible workforces with two to four people. Some companies say they cannot operate in Ontario because of the successor rights provisions of section 64 of the Ontario Labour Relations Act. I think some of the companies that are involved have quite clearly stated that they want no union involvement at all.

Here again, we're into a philosophical thing. That's why we're trying to find some community-based people who are willing to invest in the short-line rail, because they realize that the local solutions are the best for local problems and it's the municipality and the community that are going to benefit most from something like this because, as the members have quite clearly stated, economic development is good for the communities.

To say that Bill 40 is blocking the sale of abandoned lines is wrong. It's an oversimplification of the problem, as I've stated. Most rail lines are abandoned in this province because they are not profitable and, in many

cases, because the federal government has made a decision to cut the subsidies that allow them to operate.

Where there are viable short-line operations, the government is committed to working with labour and the business to keep these lines operating. The government agrees that this is an important economic development issue. To this end, the government has been identifying potential short-line operations and has had some discussions with the interested parties. This requires cooperation on all sides in order to be successful.

The economic benefit of retaining short-lines should be enough incentive for all the parties to work together towards an agreement. From the government's viewpoint, this should include the recognition of existing bargaining rights and protection for employees.

We understand, as I said, that some investors have some difficulty with this view, but there's nothing stopping provincial investors from negotiating an agreement with the unions right now.

Right now, the purchase of short-line operations that consist of 10 to 12 employees should not be saddled with 10 collective agreements, as has been stated by the opposition; but, as has been stated earlier, there are solutions to this and the question of whether short-line operators should be exempted from the successor provisions of the Labour Relations Act because the rigid craft distinctions in the union contracts are not compatible with the business plans of the investors.

As I said, they can work it out. The unions are really fearing what we're going to be doing, but I might say right now that we are committed to everything that we've done under Bill 40, and there can be local solutions to local problems on this. I'll leave some time for my colleagues.

**Mr John C. Cleary (Cornwall):** I rise today to speak on Bill 141 to represent the views of the agricultural community and fully support my colleague for bringing this forward.

As we all know, Bill 141 sets out to create an exemption whereby successor rights set out in Bill 64 of the Labour Relations Act do not apply on the sale of branch or spur rail line business. The agriculture industry has identified this as a necessary step, particularly in the light of recent uncertainty over the future of some rail lines in the province.

Several farm organizations and municipal leaders have joined on the issue. The Ontario Corn Producers' Association, which is working very hard to add value to their product to promote the ethanol industry, the Wheat Producers Marketing Board, the Ontario Soybean Growers' Marketing Board and the Ontario Grain and Feed Association have met with us and expressed very strong views on the labour legislation. The coalition says that without an efficient, cost-effective and competitive rail system, the livelihood of farmers across the province could be threatened.

As we all know, CN and CP have announced that they may amalgamate operations, and it could result in the elimination of some of their lines. Brian Doidge, an economist with the corn producers, has responded to the

potential changes by saying, "The outlook is very bleak."

This need not happen. Several of the branch lines which CN and CP Rail have abandoned could serve as short-line operations and sold to private investors. But this will simply not be possible without Bill 141 affording an exception to section 64.

Under the current rules, no private investors will be interested in taking over a short-line operation. Even current short-line operators are refusing to take on any additional short-line operations because they fear the NDP government will force them to retain all union contracts and agreements.

Clearly, we have a problem. CN and CP intend to abandon some lines. Those who should or could be interested in taking up the slack are afraid to do so under this NDP government. The NDP's section 64 is counter-productive and a major barrier to the development of an efficient rail transport system.

This is not the first time the NDP government has punted private enterprise and potential investors in the province. I know first hand, from the continuing yet unnecessary closure of parks in eastern Ontario in my riding, that the NDP government is not allowing the private spirit to thrive. Private enterprise wants to invest, with the support of the unions and government. The government lacks the political will, and I feel sorry for some of these people in this area.

1130

Time and time again, it seems they are determined to pursue onerous job-killing and restrictive legislation rather than seek measures to improve the province's overall economic situation. By supporting the private sector all Ontario could prosper, but it is difficult, almost impossible, to get the message through to this government. I insist that Bill 141 provides a reprieve to oppressive NDP legislation and it serves as a positive function. Bill 141 will preserve some local rail branches we might otherwise lose. This would translate into saving jobs and assisting agricultural transportation. This must be a government priority.

I might point out the example being provided by the committee in Collingwood. This group has requested an exemption under the NDP's successor rights legislation to allow them to purchase and operate the rail lines in the area when CN would like to abandon service. Obviously, if CN were to undertake the abandonment, there would be an impact on all the jobs and the local economy. It just doesn't make any sense: We have the owners of a rail line wanting to give up the operation and, on the other hand, we have private investors wanting to step in and provide the same service. I feel sorry for all these residents who depend on the service and the hassles that may follow with this government.

The issue at hand is not simply about a few rail lines. As a former municipal politician, I know the headache that municipalities and property owners have if a rail line is abandoned. It is about allowing private investors to step in, it is about the NDP government getting unrealistic and impractical philosophies, it is about assisting those who rely on rail service, including the farmers, and it is

about allowing and encouraging local economies to prosper.

I thank my colleague Mr Mahoney for bringing this bill forward and I hope that many in this House will support the bill. I will support Bill 141 and I'm sure many of my colleagues will too.

**Mr Allan K. McLean (Simcoe East):** I welcome this opportunity to provide some comments on the member for Mississauga West's private member's Bill 141, An Act to amend the Labour Relations Act.

I will be supporting this bill, as I will be supporting a similar private member's bill from my colleague the member for Simcoe West. They both have identical goals: They would exempt the purchasers of branch or spur lines from the successor rights provision of the government's job-killing labour bill.

The NDP government must amend this job-killing labour law, or we're going to see thousands of jobs in Simcoe county disappear. If the Collingwood-Barrie rail line is abandoned, the Bradford-Washago line will be the next to fall.

Officials from Simcoe county and Warden Bob Drury made this government aware last fall that private investors would not purchase short-line rail operations because labour laws made it uneconomical to do so. Seven months later—the clock is ticking—CN and the NTA have run out of patience. The successor rights portion of Bill 40 is sending an unfortunate pro-union message to business and will make it uneconomical for short-line operators to take over abandoned rail lines.

Eighty jobs in Stepan Canada near Orillia are in jeopardy. The soap manufacturer depends on 140 cars annually for raw materials shipped to the plant by rail. Stepan Canada pumps about \$4 million into the local economy and has an additional payroll of approximately \$3.5 million.

Several US and Canadian firms have expressed interest in purchasing all or part of the short lines, provided the labour laws are changed to eliminate successor rights. But these potential buyers are balking because successor rights would force them to assume costly collective agreements signed with CN. This could mean that a short-line operator with fewer than 10 employees might have to deal with up to 17 different unions.

On April 26, Allan Deegan, vice-president, CN North America, contacted my office and indicated CN had filed a notice of intent with the National Transportation Agency to cease rail operations on the Newmarket subdivision, that's from Bradford to Washago, and on the Midland subdivision, Orillia to Uthoff. In 90 days or less following the filing of the notice of intent, CN plans to formally apply for permission to abandon these lines.

Mr Deegan indicated CN invited proposals from short-line operators for five lines in Ontario, including the Barrie-Collingwood and Midland-Uthoff lines. Mr Deegan said, and I quote, "Potential bidders withdrew from this process when changes to the Ontario Labour Relations Act were enacted."

Government members can join with the opposition in supporting this bill or the one from the member for



Simcoe West to amend the successor rights portion that makes it uneconomical for short-line operators to take over abandoned rail lines.

I'm surprised today that the member for Muskoka-Georgian Bay is not here speaking on this bill, because it affects his riding when we're talking about the Midland-Uthoff line. I would have thought he would have been here supporting this bill.

Last evening, there was a meeting in the county building in Barrie with the warden, Bob Drury, and many of the industrial development commissioners. I talked to my colleague Terry Brady from the Orillia development commission this morning; he indicated he was at the meeting. He was concerned that the member for Simcoe Centre, Mr Wessinger, was there and was not very effective in trying to get this whole issue resolved.

Gary Sullivan from the Ministry of Economic Development and Trade phoned me and wanted to know if there were any people in the area who would be interested in purchasing these spur lines. He indicated to me that the government was not going to change its position with regard to the successor rights legislation.

I find it hard to believe that this government talks about jobs, jobs, jobs, and here what it's doing is losing jobs, jobs, jobs. So I say to the people of Simcoe county and I say to the warden of the county, who I understand took a very strong initiative—when the committee meets with the Premier, he wants those people to be part of that meeting, and they should be part of the meeting. If the ministry has a plan to solve this problem without amending this bill, then it's about time it came forward with that plan and told us how it's going to resolve it and save these jobs they're talking about.

**Mr Derek Fletcher (Guelph):** I'm very pleased to be able to join in this debate about short-line rail. Let me just start by saying that the member, my colleague from Kitchener-Wilmot, did present an argument and facts that were consistent with what this government has been saying for a long time and consistent with the thinking of many people on this side of the House.

Again, I have to look at it. This is not a Bill 40 issue. As Mr Cooper, the member for Kitchener-Wilmot, said before, it's just an oversimplification of the problem. If this passes, and I know that I will not be supporting it, I see this as the beginning of a systematic way of derauling—that's a nice play on words—Bill 40, because if we exempt here, we will exempt there and exempt there and eventually Bill 40 is no longer an effective piece of legislation.

One of the emphases of Bill 40 was that business, labour and government should work together to find solutions to the problems that are addressing our society today, and I think Bill 40 goes a long way in recognizing that fact. To say that one piece of legislation is destroying the province—we've heard the naysayers say, "The sky is falling," and the sky did not fall; businesses haven't been running away from the province of Ontario. In fact, they've been coming to Ontario. To say that Bill 40 is the one piece of legislation that is blocking jobs is too simplistic. Then again, I expect it from the Common Sense people, and we all know that sense is not common.

What strikes me is that a regulatory change would probably accomplish what this legislative change is trying to do. The Ministry of Labour is very supportive of a regulatory change that would encourage business, labour and the government to work together to find a solution to the problem. We don't have to go out and destroy legislation.

I don't believe there is one union in this province that is blocking the sale of anything. It just comes down to the fact that perhaps some business groups and some investors just don't like unions. Unfortunately, if you're going to do business in Ontario, then you should abide by the laws of Ontario.

1140

It's a strange piece of argument that we are looking at primarily US-based investors who are going to be coming to Ontario to buy up these lines. If they don't wish to work within the parameters of the laws of Ontario, then perhaps they should invest elsewhere. It's strange that the member for Mississauga West one day was waving the American flag and pointing to the leader of the third party. Perhaps he should keep his American flag, because if he wishes to change the laws of Ontario just for American interests, I really have a problem with that. Maybe he should get his Mike Harris flag out.

One of the interesting things with short-line railways—I've been to a lot of Hike Ontario and Rails-to-Trails meetings with some groups, and I think one of the best ways to encourage tourism, encourage the use of our natural environment, is to allow some of these short-lines to be used by such groups as Hike Ontario and Rails-to-Trails. People would be out cross-country skiing in the winter; people would be out walking the routes that were part of our history and part of our heritage. I believe in that sense the abandoned rail lines could be of even more use to the general population.

Again, I wish to thank the member for Kitchener-Wilmot for bringing forward such a good argument and some good information as far as where the ministry is going and how we can help everyone to get away from the antagonism of trying to do something with these rail lines so we can help facilitate a solution to this problem.

**Mr Hans Daigeler (Nepean):** Let me say first of all that I'm really pleased to participate in this debate, because I think this morning we have a very good example of what private members' hour should be all about. All too often I think some arcane subjects are discussed on Thursday morning, but today we have two issues, the first one being certain adoption changes and now certain adjustments to Bill 40 that will hopefully protect jobs in the province, that are very, very important.

It's unfortunate that especially the members of the government are not there. Right now there are only four members of the government side in the House, on issues that are really of great importance for people who want to work and who deserve to work. This is not something that one should take lightly. It's very unfortunate that the government is not showing sufficient interest to send its members in here. For example, I'm totally missing representatives of the Ministry of Transportation; the parliamentary assistant for the Ministry of Transportation

is not here. Be that as it may, and it is unfortunate, nevertheless the issue we are discussing is extremely important.

As critic for Transportation for my party, I feel an obligation to participate in this debate because it's not just philosophical. Or perhaps I should say it's philosophical, but because philosophy always has a great impact on real life as well, this is a philosophical debate that has great practical implications. This bill that is being discussed has implications on possibly saving jobs not just in the Barrie area, but across the whole province.

I would like to read into the record a letter that I received a copy of in April. This letter was sent to the Minister of Transportation, and perhaps several of the members who are here and who have spoken basically from the Ministry of Labour perspective are not aware of this letter.

This gentleman, in my opinion, has put together extremely well what the issues are and why this is so important. I'm not in the habit normally of reading long sections from documents, but this particular letter is so well spoken and identifies the concerns so well that I do think it deserves to be read into the record. More importantly, it deserves to be acted upon, and I'm very pleased that the Liberal Labour critic is in fact proposing action that I do think would satisfy this gentleman.

His name is Mr Aitchison and he writes from Barrie. Here's what he says:

"No doubt, you are aware," meaning the Minister of Transportation of Ontario, "that both Canadian National and Canadian Pacific railways have outlined their intentions to significantly reduce their respective rails networks in order to ensure their financial survival. This will result in the accelerated abandonment of hundreds of kilometres of branch lines in Ontario. Already, rail lines no longer serve a number of communities, and many more are at risk. Particularly at risk are rural communities along branch lines in southern Ontario. Additionally, in many northern communities the railway is the lifeblood.

"Rail line closures impact in many areas:

"—the direct loss of railway jobs,

"—increased reliance on truck transportation, with all their attendance costs,

"—the potential loss of industrial jobs in industries that are either rail-dependent or rail-favourable but have the misfortune of not be situated on a high-revenue line, and

"—limiting the ability of communities to attract industry.

"The very structure of our two national rail systems compels them to seek maximum system profitability. High labour and maintenance costs inherent in a rail operation has forced them to abandon those lines that do not produce a corresponding return.

"The emergence of 'short-line' rail operators has the potential to preserve portions of our rail infrastructure. They have proven very successful in the US since deregulation, and have emerged in several provinces, including Ontario. Since reduced labour costs is crucial, these lines rely on the efficiency of a small number of employees, whether unionized or otherwise, who are able

to perform several tasks. This is in contrast to the current 'trade distinction' which requires strict task adherence.

"A number of potential investors have expressed interest in acquiring some of the lines identified for abandonment, in addition to the ones already in successful operation. However, the current labour legislation in Ontario stands as an impediment. Short-line operators cannot operate profitably if they are compelled to honour existing, costly collective agreements through the 'succession rights' provisions. Some have indicated that they will not invest in Ontario because of this impediment....

"Mr Minister, these are real jobs or real people. Our Premier has been quoted as believing that effective solutions must not be driven by ideology. Effective policies and solutions must be made for the benefits of all citizens in all areas of the province."

Mr Aitchison is challenging the NDP government to do the following:

"(1) Amend and update provincial legislation regulating railways. The current legislation and regulatory process is woefully outdated, through no one's fault, as the chartering of a railway likely has not occurred in many, many years.

"(2) Review the current labour legislation to assess its impact on job creation and investment as it relates to railways."

Then Mr Aitchison concludes: "I'm not related to the rail industry nor any particular political party in any way. I am simply a concerned citizen with a hobby interest in railways and rail history, and deep concern for the economic infrastructure and future of Ontario."

As I said, I think this letter very well describes the issues and describes the importance of this issue. I think the bill that we have in front of us today, while it clearly does not throw out all of Bill 40 in the way the Conservatives would like to do it, does address a specific issue.

As my leader has said, we will reform and revise those provisions of Bill 40 that have clearly proven to be negative towards job growth. Here we have clearly a provision that has been pointed out already that has to be changed and this bill will change it.

1150

**Mr Noble Villeneuve (S-D-G & East Grenville):** I rise this morning again, and I will quote right off the bat. It's not coming from politicians, it's coming from a farm paper and it reads as follows: "Labour Laws Derail Vital Grain Arteries." That's what it says, that's the headline. In part it says, "Ontario farmers could lose access to the US as line closures at CN and CP continue and labour laws keep short-lines from filling the vacuum." That's pretty straight.

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** What about the main line, though? Are you going to protect the jobs on the main line?

**Mr Villeneuve:** I will be quoting a little bit from—this is not coming from in here. It tends to be a little bit slanted when it comes from in here. This is coming from outside. "Crop prices will fall as farmers become captive of local grain markets and plans for new ethanol and dry-



milling plants could well be scrapped." We have to have low-cost movement of grain.

**Mr Paul Klopp (Huron):** That's a little slanted, that thing. I read that one, Noble.

**Mr Villeneuve:** It's amazing how the government only has a selective type of hearing. Read this—"captive." The major markets for our soybeans grown in Ontario—and we have a very extensive soybean production; half of it is in the United States. Soybean producers are very concerned about the successor rights and the labour laws that are now in place.

"Ontario Labour Relations Act under section 63: The purchaser of a business is bound by any bargaining rights or collective agreements in effect. This provision of the legislation has virtually stopped the expansion of short-line railway operations in Ontario, resulting in the likelihood that rail lines that may have the potential to be operated successfully by short-line rail companies will be abandoned."

The jobs are there. This government complains about the cost of operating government programs such as Jobs Ontario. Well, you know, the exemption under Bill 40 of successor rights for short-line railways or, for that matter, for the St Lawrence Parks Commission—because we will have some of these parks staying closed again this year because of successor rights, nothing else. These are jobs. They may not be in the union shop jobs but these are jobs. They will cost the government absolutely nothing to create, will be created by the private sector.

Bill 91 is coming in, forcing labour law on Ontario's farmers, yet this type of legislation is cutting—

**Hon Mr Wildman:** You voted for it.

**Mr Villeneuve:** This type of legislation, we will do away with it immediately upon being elected government of Ontario.

**Hon Mr Wildman:** Then why did you vote for it?

**Mr Villeneuve:** Vote for it? Mr Speaker, we have not voted for it. We are committed to repealing that within 100 days of taking office. We had agriculture exempt from any labour laws. This government saw fit to include agriculture and in so doing will destroy many jobs within the rural agricultural communities.

The development of the provincial railway act I want to touch on, because two of the Canadian provinces, Nova Scotia and Quebec, have developed their own provincial railway acts. Although Nova Scotia has not yet proclaimed its recent railway legislation, the Quebec railway act was implemented in December 1993, because some short-line rail lines in the province of Quebec have been purchased by the private sector.

I don't always agree with the government of Quebec, but I give them credit for this one. They saw fit to change their labour laws to allow their short-line railways to operate so that rural Quebec would at least not be left out in the cold completely. They do have labour laws similar to those of Ontario.

I found it strange, when we spoke of Bill 40, the government of the day, the NDP government, kept saying they have similar labour laws in the province of Quebec and there are no problems. We know there are problems

with the labour laws in the province of Quebec, but at least the government has recognized that successor rights had to be taken out of their labour laws in order to create jobs and promote the rural sections of Quebec.

I have very little time left. It's a rather sad situation that in the riding I represent we will have prime waterfront property staying vacant, which could be drawing tourists and providing jobs, because of successor rights. Farmers will pay the cost because of successor rights and short-line railway closures.

**Mr Larry O'Connor (Durham-York):** It's a pleasure to rise and speak on this bill, the reason being that we talk about short-line railways. What I'd like to talk about is the York-Durham Heritage Railway. This association has come together to try to do something around tourism, around creating jobs in rural Ontario. Their dream is to set up a railway that is going to run right through the Oak Ridges moraine. It's beautiful rolling countryside. It's going to be just wonderful: the town of Stouffville at one end, the town of Uxbridge on the other. Could you imagine? Here we are, the train just rolling through there. Talk about economic development.

Here's a railway that is about to be abandoned, and we hear the government won't cooperate with anybody. Well, I'll have you know that not only has the government cooperated, here we've got GO Transit sitting down and working out with the CNR about trying to preserve those lands so that the small association in my riding can come together to develop a heritage railway.

I've got with me here today the Hansard from November 24, 1993, not that long ago. But the fact of the matter is that the treasurer, Eric Button, came down that day; the president, Rob Paré, and Ken Harding, who of course is the secretary of the association, came down to the Legislature and brought forward the proposal because they wanted to incorporate.

You know, it's coming together; there's a lot of work coming together. To support this work, they set up this miniature railway in little community fairs, the steam thrashing show. They had this little train and they charged people a loonie a head for a ride around this little train track. This is community development. This is a community coming behind something. For the opposition members to say there's no government cooperation, well, that's bunk. That's just bunk.

Here we've got a case where the government is actually working. Let me quote from Mr Button. He says, "The Ontario government, through GO Transit, has been negotiating with CN." Talk about cooperation. Here we've got an opportunity where we can offer some economic development out in rural Ontario and we've got the government right in there cooperating with them, and then the opposition stand up and say that's not the case, that's not the facts.

That's unfortunate, because I support the York-Durham Heritage Railway Association, all the work that they've been doing. Stouffville council on one end has supported it fully, and so has Uxbridge council. We hope that cooperation will continue, in spite of the opposition.

**Mr Klopp:** Just in closing, the motion from the

Liberal Party is an example to me of simplicity. Probably tomorrow, maybe even on Monday or Tuesday, they'll get up and defend that we're not doing enough for workers' rights.

The fact of the matter is, the argument that the government doesn't recognize the importance of these short-lines is just totally not true. In fact in our area we were one of the first ones. Railtex actually took over one in our area and it was a heck of a lot more complicated than about the labour laws in this province or anywhere else. There were a lot of irons in the fire that had to be worked out.

We talked a little earlier about the private short-line and what would happen to a community, but we forget that even the same paper that was noted from my colleague, who does a lot of reading and is interested in rural Ontario, but down in the southwest region in Pat Hayes's area, where he's worked hard, there is actually a private company, nothing to do with the labour laws, that's threatening to shut down a line, a private line company. So the argument that "Oh, it's Bill 40 and that's the problem" just isn't fact.

Up in the Algoma area, Algoma Central Railway is near negotiating and is working with a company that's going to be buying their line. That company has no problem and has worked with the Bill 40 issue, recognized the labour. They've negotiated a new deal. It might not be as good as their other ones, but they've negotiated.

I know Railtex as a company. I've known them personally. I've worked with them. They're business people and they're asking for the best deal possible. I understand that. We have made a commitment in this government. We have many ministries working with the communities and Railtex to come up with a deal that gives everyone a fair opportunity.

As I say, I'm sure next week the Liberal critic will stand up and say we're not doing enough to help workers. Today we're talking about how we're giving too much. I think there's a balance here. I think this issue will be accommodated so that everyone can have the respect of a job, respect of the communities.

In closing, to say that we don't recognize the problem is just ridiculous because we have done more as a government to work with these organizations and allow everyone an opportunity, because the communities lose too if they have cheap labour and cheap attitudes. I know a lot of these companies don't want that and it's not good for the workers. A deal will be reached because I know that common sense will prevail.

**Mr Mahoney:** I'd like to thank those members who spoke in support, particularly the member from Simcoe West—as he said, through the luck of the draw my bill came on ahead of his, and I know that he shares the concerns—and all members, particularly those in my caucus and in the third party who also spoke in support of the agricultural community and the impact there.

I'm really disappointed to see that it's quite obvious, since the parliamentary assistant to the Minister of Labour has spoken, that there's a full-press whip on this bill to defeat it.

**Hon Mr Wildman:** We don't whip private members' bills.

**Mr Mahoney:** I will be delighted if I'm proven wrong.

**Mr Kimble Sutherland (Oxford):** That is a typical Liberal thing.

**The Deputy Speaker (Mr Gilles E. Morin):** Order.

**Mr Mahoney:** I'll be delighted if I'm proven wrong, but the vote will take place in a very few moments and time will tell. It's very, very sad and a very sad day to just say to those people: "We've decided we don't care about your jobs. We care about the sanctity of Bill 40 more than we care about the impact on the people."

The day I asked a question on this in the Legislature, the Premier agreed that he would meet with those people. He did have a meeting with them, and since then nada, nothing. Nothing's happened to help these people save their jobs. It's obvious that this is just a sop on behalf of the Premier to try to kid people that he either understands the problem or is prepared to act on it.

Alex VanVoorst heads up a group of employees who want to buy this short-line rail line. For this government, which goes around taking all kinds of credit for supporting employee buyouts, to ignore the request of the employees is an absolute shame. You should all be ashamed of yourselves if that's what you're going to do.

**Hon Mr Wildman:** On a point of order, Mr Speaker: I know the member would not in any way have wished to impute motives and I'm sure he's aware that there is no whip on a private member's bill. That would be a complete subversion of the whole process.

**The Deputy Speaker:** The time provided for private members' business has expired.

#### ADOPTION DISCLOSURE STATUTE LAW AMENDMENT ACT, 1994

#### LOI DE 1994 MODIFIANT DES LOIS EN CE QUI CONCERNE LA DIVULGATION DE RENSEIGNEMENTS SUR LES ADOPTIONS

**The Deputy Speaker (Mr Gilles E. Morin):** We will deal first with ballot item number 55 standing in the name of Mr Martin. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Martin has moved second reading of Bill 158, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of Adoption Disclosure. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

*The division bells rang from 1205 to 1210.*

**The Deputy Speaker:** All those in favour will please rise and remain standing until their names are called.

#### Ayes

Abel, Bisson, Carter, Charlton, Cleary, Cooper, Crozier, Cunningham, Daigeler, Duignan, Fletcher, Frankford, Gigantes, Grandmaitre, Hansen, Haslam, Hayes, Hope, Jackson, Johnson (Don Mills), Johnson



(Prince Edward-Lennox-South Hastings), Klopp, Kwinter, Lessard, MacKinnon, Malkowski, Mammoliti, Marchese, Martin, Mathysen, McLean, Miclash, Mills, Morrow, Offer, O'Neill (Ottawa-Rideau), Owens, Perruzza, Phillips (Scarborough-Agincourt), Poole, Silipo, Sola, Stockwell, Turnbull, Villeneuve, Wildman, Wilson (Kingston and The Islands), Wilson (Simcoe West), Winninger.

**The Deputy Speaker:** All those opposed will please rise and remain standing until your names are called.

#### Nays

Bradley, Mahoney, Tilson.

**The Deputy Speaker:** The ayes are 49; the nays are 3. I declare the motion carried.

Pursuant to standing order 96(k), the bill is referred to the committee of the whole House.

**Mr Tony Martin (Sault Ste Marie):** Mr Speaker, I request that it be sent to the standing committee on social development.

**The Deputy Speaker:** Shall this bill be referred to the standing committee on social development? Agreed.

#### LABOUR RELATIONS AMENDMENT ACT, 1994

##### LOI DE 1994 MODIFIANT LA LOI SUR LES RELATIONS DE TRAVAIL

**The Deputy Speaker (Mr Gilles E. Morin):** We will now deal with ballot item number 56, standing in the name of Mr Mahoney. If any members are opposed to this vote, will they please rise.

Mr Mahoney has moved second reading of Bill 141, An Act to amend the Labour Relations Act. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members; this will be a five-minute bell.

*The division bells rang from 1213 to 1218.*

**The Deputy Speaker:** All those in favour of the motion will please rise and remain standing until your names are called.

#### Ayes

Bradley, Brown, Cleary, Crozier, Cunningham, Daigeler, Grandmaitre, Jackson, Johnson (Don Mills), Kwinter, Mahoney, McLean, Miclash, Offer, O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poole, Sola, Stockwell, Tilson, Turnbull, Villeneuve, Wilson (Simcoe West).

**The Deputy Speaker:** All those opposed will please rise and remain standing until your names are called.

#### Nays

Abel, Bisson, Carter, Charlton, Cooper, Duignan, Fletcher, Frankford, Gigantes, Haeck, Hansen, Harrington, Haslam, Hayes, Hope, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lessard, MacKinnon, Malkowski, Mammoliti, Marchese, Martin, Mathysen, Mills, Morrow, Murdock (Sudbury), Owens, Perruzza, Silipo, Sutherland, Waters, Wildman, Wilson (Kingston and The Islands), Winninger.

**The Deputy Speaker:** The ayes are 23; the nays are 35. I declare the motion lost.

All matters related to private members' business have been completed. I will now leave the chair and the House will resume at 1:30 this afternoon.

*The House recessed from 1222 to 1330.*

#### MEMBERS' STATEMENTS

##### MINISTER OF CULTURE, TOURISM AND RECREATION

**Mr Steven Offer (Mississauga North):** Mr Speaker, I'd like to bring to your attention and to the attention of the members of the Legislature a very disturbing matter which has arisen in my riding.

On July 16 of this year there is going to be a very important event held in my riding at the Meadowvale Theatre in Mississauga. It's an event put on by Eastern News, which is an important multicultural group. The event is an annual singing competition, and this really does bring over 120 singers participating in such an event.

The disturbing matter that I bring to your attention is that the president of this association, Mr Masood Khan, had invited the Honourable Anne Swarbrick to the event, and did so by letter. He wrote a letter to the minister dated April 26. Her office called him back and indicated that they had three other invitations for the same day and that the staff had to decide where to send the minister. At that time, a member from the minister's office asked if Mr Khan was a member of the NDP, because she is a president of the NDP riding in Mississauga. His answer was that no, he was not.

"A day or two later," I read from his letter, "she called again" to tell them that the minister was going to be on holidays.

There is great concern by this association and by members throughout the community that the places the minister will attend will only be those that happen to be sponsored by NDP members. I find the actions by the minister absolutely reprehensible.

#### NURSES WEEK

**Mr Jim Wilson (Simcoe West):** I rise today to encourage all members of the Legislature to join in recognizing Nurses Week, which began on Monday and concludes this Saturday. The theme for national nursing week is aptly titled "Nurses Make the Difference."

On a daily basis, in hospitals, in clinics and in homes, nurses are making the difference. It's ironic that nurses represent the largest group of professionals in our health care system, yet their contributions and commitment to maintaining excellence in Ontario's health care system are often overshadowed.

National nursing week is critical because it heightens the public's awareness of the important role played by Ontario's 50,000 nurses who serve as the gatekeepers to our health care system. The closing of more than 6,000 hospital beds since 1986 and the layoff of thousands of hospital workers and professionals, many of these being nurses, have placed an added burden on to the shoulders of Ontario's nurses.

The nursing ranks have shrunk by 1,000 persons since the social contract was legislated, yet Ontario's nurses have responded positively and continue to provide high-

quality care in a sensitive and responsive fashion. By their contributions, they go beyond the care that they provide. They are active in fostering a health care system premised on health promotion, disease prevention, education and improving the system to maximize all resources. The utilization of nurse practitioners is certainly one important step in the direction towards better utilization of our scarce health care resources.

Our great thanks to the nurses of Ontario.

#### PROGRESSIVE CONSERVATIVE PARTY PLAN

**Mr Gordon Mills (Durham East):** The leader of the third party is out promoting his party's document which he labelled the Common Sense Revolution. It's too bad that rules that require truth in advertising don't apply to the political parties. The public will be wise to look beyond the fine-sounding promises of lower taxes and job creation which, if true, would deserve support.

Ontarians should take a hard look under the hood of this Tory vehicle before they buy. What they will find under the hood is a collection of parts that don't fit anywhere. On the one hand we have a few commonsense suggestions which we can support, like reducing red tape for small business, and on the other hand we have blatant nonsense such as the suggestion that jobs will be created by reversing the reform of labour legislation. That's the most screwy thing I've ever heard.

What is hidden in the Mike Harris plan which needs to be exposed is the severe hardship this plan would create. The cuts which are suggested will result in job losses and cuts to essential services and downloading costs to municipalities at an unprecedented level.

Ontarians should be mindful of the Tories' track record, not only here but in Ottawa and in London, England. They're a disaster. Like the Premier said yesterday, take your revolution and stick it in your ear. That's where it belongs, where the sun don't shine—

**The Speaker (Hon David Warner):** The member's time has expired.

#### NORTHERN HEALTH SERVICES

**Mr Frank Micalash (Kenora):** My statement is directed to the Minister of Health. For over 25 years, the Lake of the Woods hospital in Kenora has operated a training program for registered practical nurses, formerly the RNA program. This program, which operated out of Kenora, has been very successful, receiving praise from the medical community as well as Ministry of Health officials.

I am looking for an explanation from the Minister of Health as to why no decision has been announced on the review of this program that her staff has undertaken. We have heard that she has decided to go against the recommendation of her officials to continue the RPN operation in Kenora. To quote the minister's officials, "We will be recommending the Kenora option to the minister, which in our view is the only sensible one."

Minister, my constituents are getting tired of being used as a political football by you and your government. In past years, the Lake of the Woods District Hospital would have selected candidates for the following year's program in April. It is now the middle of May and they

continue to be told by your ministry that the file is in your office and a decision will be announced soon.

Why have you and your colleagues chosen to pit community against community in the north? The residents of Kenora, the local medical community, the hospital board and administration and, I'm sure, the Minister of Health herself would agree that this issue reeks of political interference.

#### MUNICIPAL PLANNING

**Mr David Tilson (Dufferin-Peel):** I would like to urge the Minister of Environment and Energy to use his influence at the cabinet table to put a stop to the proposed development on the Toronto Islands by the Flying Toad co-op. To build these 100 units would involve destroying significant wet meadows, dunes and eastern cottonwood woodland. The Flying Toad development would destroy the last remaining shoreline habitat remaining on the western side of Lake Ontario.

The Federation of Ontario Naturalists has told me that these natural areas have been recognized by various levels of government. The Metropolitan Toronto and Region Conservation Authority has designated them an environmentally significant area, the Ontario Ministry of Natural Resources has identified them as regionally significant areas of natural and scientific interest, and the Crombie commission has recommended their full protection.

Together with my colleague, the member for Mississauga South and PC Housing critic, I have written the newly appointed Environmental Commissioner under the bill of rights to formally ask that she look into the Flying Toad co-op proposal and to do everything in her power to stop any development on the west side of Algonquin Island, Centre Island and the eastern portion of Wards Island until all of the environmental concerns of the people of Ontario can be addressed.

#### INTERGENERATIONAL WEEK

**Ms Jenny Carter (Peterborough):** I'm pleased to rise today to announce that the week of May 15 to 21 is Intergenerational Week. One hundred thousand seniors, children and young people in Ontario are involved in intergenerational programs that partner youth and seniors through schools, child care centres, seniors' centres, homes for the aged and hospitals. Programs also exist in private homes and apartments, anyplace that young and old can come together for mutual benefit.

Intergenerational programs began as a response to the segregation of generations, to the prevalence of negative images of both the elderly and youth in our society, to misunderstandings that exist as a result of differing lifestyles across the age divide. By bringing old and young together, age segregation is reduced and prejudices and misunderstandings are challenged.

From May 15 to 21, thousands of Ontarians, old, young and middle-aged, will be celebrating Intergenerational Week in a salute to sharing and caring between the generations.

This is the first year that Intergenerational Week has emerged as an organized, province-wide event. A wide range of programs and projects has been planned in



celebration of intergenerational collections.

Our government has been pleased to support the work of all those who contribute time and effort to bringing together the generations in a truly sharing and caring way.

I would like to congratulate the intergenerational committee of the United Generations of Ontario whose vision and work have made possible the announcement today of Intergenerational Week, and to welcome the presence of Mel Shipman and his colleagues in the gallery today.

1340

#### LEADER OF THE THIRD PARTY

**Mr Steven W. Mahoney (Mississauga West):** I would like to share with you my top 10 reasons why Mike Harris needs an American campaign adviser.

(10) Mike Harris is setting his sights on being Dan Quayle's running mate in 1996.

(9) He wants to change the Tory campaign song from Ontario, a Place to Stand, a Place to Grow to America the Beautiful.

(8) Look at the wonderful things the Americans did for Audrey McLaughlin.

(7) He wants to move further to the right than Reg Gosse and Preston Manning.

(6) The Conservative caucus is still looking for the best and the brightest.

(5) He really does want to be the governor of the state of Ontario.

(4) Whitewater rafting looks like a lot of fun.

(3) The negative ads written for the federal Tories by John Laschinger and John Tory just weren't mean enough.

(2) He really wants a golf membership at Pebble Beach.

The number one reason Mike Harris needs an American campaign adviser: If your campaign team had you sharing the stage with Helle Hulgaard, wouldn't you be looking elsewhere for advice?

#### PREMIER'S COMMENTS

**Mr Ernie L. Eves (Parry Sound):** I rise today in response to a remark from the Premier in the House yesterday. Allow me to quote Hansard, "You can take your revolution and stick it in your ear."

For the benefit of the Premier and others in this House, I would just like to clarify who is being asked to stick it in their ear. This document is the culmination of four years of hard work and community involvement by tens of thousands of ordinary Ontarians in cities and towns across this province. It is them the Premier is telling to stick it in their ear.

The recommendations are the product of hundreds of town hall meetings, written submissions, task force hearings and unsolicited ideas from people of every walk of life. The Premier is telling them to stick it in their ear. They are middle-income Ontarians. They are lower-income Ontarians. They are fourth-generation Canadians and they are recent immigrants. They are urban and rural.

They are employers, employees and the unemployed. The Premier wants them to stick it in their ear.

In fact, the only common bond they share is the firm belief that their province is indeed in deep economic trouble and needs a new direction. They have expressed the belief that they want lower taxes, less government spending and a better way of life for their children. The Premier's response is, "Stick it in your ear," to those Ontarians.

If this is the response they get from their Premier to their ideas, their aspirations and their hopes for prosperity and opportunity, maybe they'll get a chance to stick it in somebody's ear on election day.

#### STEVE BAUER TRAIL

**Mr Ron Hansen (Lincoln):** I'm going to sing a different tune. I rise to tell the House about another success story involving Jobs Ontario Community Action: the Steve Bauer trail.

For years, the town of Pelham wanted to create a recreational trail in Fonthill, but the money just wasn't there. So they turned to the community and to the province for help. It wasn't long before everyone came through in a big way. Over a period of two years, the town of Pelham, the Fonthill Rotary Club and the province of Ontario worked together to develop a six-kilometre network of public trails.

They named it after home-town cycling hero Steve Bauer who two weeks ago attended the official opening of the trail.

At least \$100,000 was invested in the project, one third, or \$33,000, through Jobs Ontario Community Action.

The new system of paved and gravel paths is not just for cycling; it is something for the whole community to enjoy while jogging, hiking, walking or rollerblading.

The new trail system is a model of what can be accomplished when a municipality, a service club and plenty of dedicated volunteers work together. The result is a safe, alternative route for pedestrians tired of being restricted to sidewalks and shoulders, and cyclists sick of being crushed and squeezed off the streets and highways.

The recent trail opening is only the beginning. The people of Pelham are planning to connect the Steve Bauer Trail to a larger network. A trail to nearby Fenwick, where Steve Bauer's parents live, is one of the next links in the system.

Congratulations to the people of Pelham. The Steve Bauer Trail will be enjoyed for many generations to come. Please put on your rollerblades, Mr Speaker.

#### MEMBER'S COMMENTS

**Mrs Margaret Marland (Mississauga South):** On a point of order, Mr Speaker: If I may ask you to review the statement today by the member for Durham East, who referred to my leader as saying something that was not truthful, I don't feel that his statement was in parliamentary language. I'd appreciate your comment on it.

#### Interjections.

**The Speaker (Hon David Warner):** Order. The member raises two matters which are not connected. With

respect to parliamentary language, I listened carefully. I did not hear anything that I would determine to be unparliamentary, although there was a phrase that perhaps is not as polite as language that is encouraged here.

On the second matter, with respect to statements that are made, there will often be disagreements in the House as to the validity of statements made by various members. It's not up to the Chair to determine what is the validity of those statements. If statements are in error, it's up to the member who made the statement to correct his or her record.

#### ATTENDANCE OF MINISTERS

**Mr Murray J. Elston (Bruce):** Mr Speaker, today I rise on a point of order under standing order 33. It talks about question period.

Today, we will have 12 ministers unavailable to answer questions, including almost every minister about whom there is a public issue being discussed in the media, among the people who are politically astute in the province. It appears that the real object of these absences, particularly with respect to the Finance minister—who generally is in his place, but has been in this House only once since he introduced his budget a week ago to answer questions on that most important government initiative.

When a party diligently works to defeat the purposes of the standing orders, and standing order 33 does allow us 60 minutes to ask ministers questions which are of public import, it appears to me that you must have a role someplace in making sure this place can function. If those ministers responsible for the issues of the day are unavailable, we cannot ask the questions of driving public import of anyone.

I'll bring to your attention in a couple of ways why that is important to us. In the press today there is a follow-up with respect to the questions asked by my colleague the member for Renfrew North of the Minister of Environment and Energy, who, by the way, was here this morning but is not available this afternoon.

There are issues with respect to the budget which are not going to be answered, because my friend the Finance minister is not available, and as I raised with you a week ago, his junior minister is also not available. At this point, I again underscore that this junior minister is never here, ever, when the Finance minister is away. You can check, if you have records. On every occasion, he is not in his place when Mr Laughren is away.

There are questions with respect to crime, and again today the Solicitor General is not available.

1350

I understand that on occasion some people are absent, but the reason I'm so upset about the way today's performance appears—and by the way, I talked to the House leader earlier today about my concern in this regard, as I did to the member for Parry Sound—is that we have had 31 sitting days so far, and the total number of ministerial absences, and this doesn't count people who arrive late or leave early, has been 193. The average number of ministers who are away has been seven, although it reaches 12, as it does on today's date.

The Premier has been absent on 13 of the 31 days. When the Premier is in the House, he has stayed on average just around 30 minutes, and to be quite honest, the 30 minutes is a very liberal interpretation of the amount of time he is able to be with us. We understand he is busy, but there are things required by the standing orders that allow us to do our work.

Mr Laughren has been absent 11 days. Particularly when he is absent, we know he is working. I have the highest regard for Floyd, because I know how his work habits are. But he delivered a budget last week, and while I expect that he had to be in Ottawa one of those days, it is difficult for me to understand why, since he sets the date for the budget, he can't arrange to be here to answer questions of the details of his budgetary policy for the people of the Legislative Assembly.

To me, that underscores more than anything else I could say why I believe standing order 33, the 60-minute question period available to us only four days a week—it's one hour—is being violated, that there is a ploy being used to frustrate the ability of the opposition parties.

In fact, I have to say I have been encouraged by the manner of presentation of some of the questions by the backbench people in the New Democratic Party.

**Mr Kimble Sutherland (Oxford):** Thanks, Murray. We appreciate you representing us.

**The Speaker (Hon David Warner):** Order.

**Mr Elston:** The member for Oxford just woke up again, Mr Speaker. I apologize to the House.

It is for me to declare my concern on behalf of my caucus that this type of record really does underscore how much there has been in undermining our ability to get our work done. Mr Speaker, while you may not be able to drag those people here, it is the only available forum I have to express our disappointment, our concern that this place is not meant to work, and that our jobs are being systematically frustrated by the persistent absences of key ministers of the crown.

**Mr Ernie L. Eves (Parry Sound):** On the same point, just briefly, I note that at the commencement of question period today there were seven ministers of the crown present—there are now nine—out of a cabinet of 27. Of course, this is the Premier who downsized his cabinet from 25 to 27.

I would like to reiterate the point made by the honourable member for Bruce, that the whole point of parliamentary democracy, otherwise called responsible government, is that ministers of the crown are responsible to the people of the province, or the particular jurisdiction in which they serve, each and every single day during question period. That's what differentiates our system from the republican system of government. If this government is not going to pay any more respect to the populace of Ontario than to have a third of its cabinet bother to show up for question period, isn't this whole thing pointless? We may as well all go home. We'll just elect a dictator every four years and that's the way it will be done.

**Hon Brian A. Charlton (Government House Leader):** The points the two opposition House leaders



have raised are points of concern that the opposition has expressed on a number of occasions here in the House. There's one thing, Mr Speaker, I'd like to point out to you and to them, because I don't think they've thought this through quite as carefully as their words would suggest.

The member for Bruce has very carefully set out the numbers in terms of performance. What he neglected to note is that we have probably had the two opposition House leaders on their feet fewer times during this session making this particular complaint than any of the sessions since the last election. That is because this government has made an effort to ensure that whenever possible, as the House leader for the official opposition says, the ministers who are responsible for the issues of the day are here, for the most part, including pulling ministers back from very important events to be here.

It is unfortunate that from time to time a number of things come together. The member for Bruce, for example, mentioned the absence of the Minister of Environment and Energy today. Unfortunately, he has returned to Sudbury, where there is a memorial service going on for his departed daughter. He was here on the other days this week around which the members across the way wished to pursue questions. But from time to time these things do impose themselves on individuals.

We have a Premier in this province and a Deputy Premier, and when those ministers are absent, there is always someone—in this case today, the Minister of Economic Development and Trade—who is prepared to take questions on behalf of the Premier and to respond to them.

We do our very best to ensure, as best as is humanly possible, that the ministers whose responsibilities, as best as we can anticipate, are most likely to be demanded that day during question period are here.

**The Speaker:** I listened very carefully to the remarks by the three House leaders. There are a number of items that come to mind, as an observation.

The member for Bruce and the member for Parry Sound raise some very legitimate concerns with respect to question period. I am very mindful of the severe pressures that are put upon ministers of the crown as they attempt to discharge their public duties. Of that I am most aware and most mindful.

At the same time, all members will know that in a British parliamentary system, a focal point for the public's business is oral questions, the opportunity for the opposition to question the policies of Her Majesty's government. That's an important principle of a British parliamentary system.

I cannot be of assistance to the honourable member, no matter how much I may believe that his concerns are valid and legitimate, no matter how deeply I believe that, as much as possible, all ministers of the crown should be present for question period. The standing orders do not compel attendance in the House of any member. All that's required is that there be a quorum in the House and that there be ministers present. Both of those conditions are met here today.

As I have mentioned on other occasions, if the House has a willingness to change the standing orders with respect to attendance by cabinet ministers or by other members, the House of course is free to do so and may wish to consider that in the Legislative Assembly committee.

I can only urge, as I have on other occasions, that all members, including cabinet ministers, make every effort to be here as often as possible and to be present during oral questions, when the policies of the government can be questioned by members of the opposition, and indeed backbench members of the government.

It is now time for oral questions.

1400

## ORAL QUESTIONS

### TRANSFER PAYMENTS AND FISCAL OUTLOOK

**Mr Gerry Phillips (Scarborough-Agincourt):** I would have much preferred that my question go to the Premier, but I will go to what I gather is the acting Premier. Minister, in your budget material, as you know, the government says it is investing \$3.8 billion to build Ontario's infrastructure. Can you confirm that this \$3.8 billion includes the \$250 million that the federal government is spending in Ontario on the infrastructure program?

**Hon Frances Lankin (Minister of Economic Development and Trade):** I'm aware that the member asked a similar question yesterday and directed it to the Premier, and the Premier indicated that the member was wrong in asserting that that money was reflected in the \$3.8 billion. In fact, the Premier made an error on that and has written a note to the member opposite to apologize for that.

If you look in the Ontario budget—I would direct the member to page 113—he will see that under "Payments from the Federal Government," towards the bottom of the page, the \$253 million is reflected as a revenue.

Two pages over, 115, in terms of the capital plan, he'll see both under "Budgetary" and under "Loan Based" the reflection of that same amount, including the Ontario matched expenditures as expenditures. So it's accounted for; it doesn't affect the deficit in any way. It's a revenue coming in, like all other transfer payments, CAP etc, and an expenditure going out.

**Mr Phillips:** Mr Speaker, you can understand why I was so angry yesterday with the Premier. I said this federal money was in the reported spending of the province and in my opinion was misleading the people of Ontario, and he was wrong, but here's what he said about me:

"The member is completely and totally wrong.... I would say to the honourable member...very directly that he is flat wrong with respect to what he's saying."

He goes on to say: "Of course we're doing that, since that's provincial dollars. But the suggestion that somehow there's something else included in capital dollars is false, completely false, and is quite erroneous. I hope the member will withdraw it."

He couldn't have been clearer and meaner and nastier, when in fact we were absolutely right. It's not the first time that the Premier, when he's wrong, goes on the

offence and says that someone else is not telling the truth.

Now that the Premier has been proven wrong—flat wrong, completely wrong—is he prepared to issue a public statement clarifying that, and is he prepared to tell the public that the document you put out was erroneous?

**Hon Ms Lankin:** I think what provoked the Premier yesterday was the assertion that there was some sleight of hand and misleading of the public that was going on. What I pointed out to the member opposite is that very clearly set out in the public budget document, on pages 113 and 115, it shows the money. It's here: "Canada-Ontario Infrastructure Works," under "Payments from the Federal Government"; and under the expenditures, under "Budgetary" and "Loan Based," "Canada-Ontario Infrastructure Works," including the federal and the provincial dollars. I think the Premier was provoked by that, although he was incorrect in saying this money wasn't reflected in the \$3.8 billion.

I also pointed out, in response to the first question, that the Premier sent a personal, hand-written note to the member opposite apologizing to him.

**Mr Chris Stockwell (Etobicoke West):** He was provoked by the truth.

**The Speaker (Hon David Warner):** The member for Etobicoke West is out of order.

**Hon Ms Lankin:** At the very least, we have a Premier of the province who apologizes when he makes an error in the House.

**Mr Phillips:** Does that answer make any sense to anybody out there?

First, yesterday the Premier said publicly that no—it's very clear—the federal money is not included in the \$3.8 billion. That's what the Premier said. It's clear; everybody should know that. "The member is completely wrong."

Now when I find out that the Premier was wrong and I was right, he's turning the argument completely around and saying, "Well, you should be able to read the fine print in the budget and realize that in fact it's there." I find that answer absolutely bizarre.

Another thing the Premier said yesterday, threatening me, was, "I look forward to talking with the construction workers in the member's riding and saying that it's the kind of...do-nothing Liberalism" that he worries about.

Now that we find out, now that the construction workers find out, that you are reporting the federal infrastructure money, the \$250 million that's coming directly from the federal government for the infrastructure program, as your own expenditure, will you instruct the Premier to tell the construction workers in my riding that he is misrepresenting the federal infrastructure program?

**Hon Ms Lankin:** I find the member's response to my response bizarre, quite frankly. Let me suggest that the Premier has apologized and said he made an error with respect to whether or not that money was reflected in the budget, the \$3.8 billion. The member opposite is making a capital case—I don't mean to make a joke about this—of \$253 million. It's an important contribution to job creation in Ontario, but it is a drop in the bucket com-

pared to the remainder of that \$3.8 billion, of which that money is reflective.

With respect to the construction workers in the member's riding, I would suggest to the Premier and any other member on this side that we go into that riding and we say with pride that we have invested more in infrastructure and creation of construction jobs in this province than any other government ever has. We have the most ambitious infrastructure program of any jurisdiction in North America.

**Mr Stockwell:** Oh, stop it, Frances.

**Hon Ms Lankin:** We're the ones who are pursuing the four subways, to the critics across the floor there saying we shouldn't be doing it. We're the ones who are making the 407 a reality much faster than it would have been. Those are the sorts of things that I would say to construction workers in the member's riding.

**The Speaker:** New question, the member for Mississauga West.

**Mr Steven W. Mahoney (Mississauga West):** I have a bit of a problem. As my House leader pointed out, there are so many cabinet ministers missing, and the one I want to ask is not on this list.

**The Speaker:** To whom do you wish to address your question?

**Mr Mahoney:** Well, he's not on this list and he's not here. I wanted to go to the Minister of Labour. Let me try—

**Hon Evelyn Gigantes (Minister of Housing):** We have more cabinet ministers here than you have members there.

**Mr Mahoney:** Well, if you give us a list, we develop our business based on the list.

**The Speaker:** Order. Would the member take his seat, please. First, it would be very helpful if the member simply addressed his questions and remarks to the Chair, and second, if he would identify the minister to whom he wishes to place a question.

#### JOB SECURITY

**Mr Steven W. Mahoney (Mississauga West):** I asked this question or a similar one before. I asked it to the Premier; I would have liked to have gone to the Minister of Labour. I will try going to the Minister of Agriculture, Food and Rural Affairs.

*Interjection.*

**Mr Mahoney:** Well, you might get a connection here, Elmer. Stick with me.

The Ontario Corn Producers' Association, which I'm sure you're familiar with, has written a letter to me, and I assume to all members of the Legislature, expressing concern over the abandonment of some short-line rail lines that they use throughout the province to transport their products for various uses, be it distilling or feed or whatever it happens to be. They state in the letter:

"It is our view that a certain degree of branch-line rationalization must occur if there is any hope of the remainder of the system ever becoming competitive. However, several of the branch lines slated for abandonment by CN and/or CP Rail could function very well as



short-line operations and would be sold to entrepreneurs if it were not for the onerous burdens imposed by section 64 of Bill 40 dealing with succession rights."

Would you tell us what you, as the Minister of Agriculture, can tell the Ontario Corn Producers' Association about amendments to this particular section of Bill 40?

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** I'm aware of the situation, but we do have a lead minister on this topic. It's the Minister of Economic Development and Trade.

**Hon Frances Lankin (Minister of Economic Development and Trade):** I appreciate the member's interest in this issue. I'm aware of his private member's bill. I assure him that there is a group of ministers and ministries that have been working on this issue. We've been working together with businesses, farmers, others, who are likely to be affected by any elimination of transport possibilities through these short-line rail operations.

It is a problem that needs a solution. It is one I'm committed to finding a solution to. I'm not prepared today to say that his recommended solution is the only solution that is possible. We have a group of people meeting with the affected communities and businesses and others and with CN. We are actually pursuing a couple of opportunities for a takeover of the rail situation which wouldn't involve amendments to the legislation.

What I commit to the member is that we'll keep him informed as the process unfolds. We're committed to finding a resolution to this. The resolution may not be the one that he has put forward, but I share his interest in finding the appropriate solution.

1410

**Mr Mahoney:** I'm sure the minister is aware that there is more than just the Barrie-Collingwood short-line situation involved here. There's concern over a line between Picton and Trenton, between Fergus and Waterloo, another spur in the Waterloo community, between Orillia and Midland, as well as the Barrie and Collingwood one.

Your suggestion that my solution is not particularly the one that you would adopt was made clear this morning when, unanimously, the caucus here rejected my private member's bill that would have granted an exemption specifically for short rail to the succession rights; not to eliminate succession rights in Bill 40, but simply an exemption.

Now, I understand that you and ministers Pouliot and Mackenzie have met with the Premier and with the affected parties, but they have entered into a tentative agreement and have said to you that they want one of two things: either an exemption to section 64 or some lead by your government to mould the 17 labour contracts that affect that one line into one single contract. Will you commit to us today that you will do one or the other to allow the line between Barrie and Collingwood at least, and hopefully the others that I've identified, to survive the abandonment by CN and/or CP and to save the jobs in these communities? Will you commit to us to one of those two programs today?

**Hon Ms Lankin:** The member suggests that those

would be the only two possible solutions by virtue of the way he posed the question. We have been meeting with people about the possibility of amalgamation of a number of separate collective agreements and unions into one. That's one of the possibilities you put forth; it's one of the possibilities we're pursuing. We are looking at a number of particular options.

I am well aware of the fact that it is an issue that goes beyond the Collingwood and surrounding communities. Those are potentially the first three lines that would be affected by the abandonment decisions of CN and if confirmed by the National Transportation Agency of Canada. But we are aware of plans by CN to abandon a number of other lines in Ontario. From our analysis and discussion with communities and with CN, not all of them but some of them would be potential candidates for short-line railways.

We understand that the resolution that we find, while we're working particularly with respect to the immediate case of Collingwood right now, is one that would have to also have some provincial applicability. So we're looking for the specific and the provincial resolution at this point in time.

**Mr Mahoney:** The concern and the fear that the people have is that since—and it was some time ago when this issue was first raised in the Legislature when I asked the Premier about it. The Premier made a commitment to look into a resolution as quickly as possible.

**Mr Jim Wilson (Simcoe West):** Try October 1992.

**Mr Mahoney:** October 1992.

He had a meeting with some ministers and these people and, Minister, the fear is, the clock is ticking and nothing is being done. The corn producers are very upset. The mayor of Collingwood and the mayors of all of these communities are very upset. They fear that the red tape that you like to talk about eliminating is going to bog down, and the meter runs out on June 17.

Will you commit to us unequivocally today that before June 17, on behalf of the people in Barrie, in Collingwood, in Picton, right across this province, you will find a resolution—you've been given two choices here—to this problem to save the many thousands of jobs that are of serious concern to the people in these communities? June 17 is a little more—

**Hon Ed Philip (Minister of Municipal Affairs):** Where are the federal Liberals who cancelled the program?

**Mr Mahoney:** If the minister would stop chirping—is a little more than a month—

**Hon Ms Lankin:** Which minister?

**Mr Mahoney:** Not you; him—a little more than a month away, Minister. And the way your government moves, we're very nervous that you're simply going to drop the ball and not come up with a solution in time.

**Hon Ms Lankin:** I may be able to give an answer here that will actually satisfy the member. I'd like to perhaps send him over a copy of correspondence to bring him up to date—although I did answer this question weeks ago in the House—and assure members that the June 17 deadline wasn't one which people had to be

concerned that the clock was ticking away on, because I asked for and received an undertaking from CN that as we're making progress on finding a resolution to this issue, it would not abandon or lift up the rails for a minimum of six months past that June 17 deadline to give us more time to find a resolution to this problem.

So I hope that assures the member that that June 17 deadline doesn't have the import that it did for all of us about a month or so ago before I was able to receive that undertaking.

I just want to put one more comment on the record, in a way to give a different perspective to this. This is a problem for us to deal with. It is a problem that the Ontario government is dealing with, but it really, truly, we must remember, is the result of a continuation of a decision by CN, which is a crown agency, to abandon rail lines and the services to communities right across this province and in fact right across this country. That is not a policy that I agree with, and I wish we could also join together to try and reverse that direction at the more senior levels of government as well.

#### SCHOOL BOARDS

**Mrs Dianne Cunningham (London North):** I have a question for the Minister of Education and Training.

Yesterday, the Premier told thousands of Ontarians who had direct input into the message in the Common Sense Revolution to stick it in their ears. That's what he said. Thousands of Ontarians who had direct input into this document, he told them to stick it in their ears. Today, in the Toronto Star a poll shows overwhelming public support for a key commitment in that document. I refer to the strong demand for cuts in the numbers of school boards, administrators and trustees in our province which we call the educrat empire and which is responsible for siphoning millions of tax dollars out of the classroom and into the hands of bureaucrats and consultants.

Could the minister tell us his views on these poll results as reflected in the Common Sense Revolution, or will he invite these concerned Ontarians who answered the Toronto Star poll to stick it in their ear too?

**Hon David S. Cooke (Minister of Education and Training):** I find it interesting that the member needs to raise this question. I read the article in the Toronto Star today too. What the article said was that the poll results were a complete endorsement of what this government is doing in the education field. That's what the poll said, so just read the story.

I would agree that there is a need to reduce the number of school boards and the number of bureaucrats in the education field. We very much say that. I just want to know whether, and I read through your document, I read it very carefully on the weekend—

#### *Interjections.*

**Hon Mr Cooke:** I've got it. Yes, it is there. This is that.

I just would really like to have a clear idea of which school boards the Conservative Party is talking about closing, whether they have enough guts to take their policy and make it very specific across the province. For

example, does the member believe that there are too many school boards in Metropolitan Toronto, in Ottawa or in Windsor and, if so, will the member go to those communities and talk to those boards and publicly state that they're prepared to downsize and to eliminate those particular school boards? Because all your document says—

#### *Interjections.*

**The Speaker (Hon David Warner):** Order. Would the minister conclude his response, please?

**Hon Mr Cooke:** All the document for the Conservative Party says is that it wants to downsize the number of school boards, but in order to do that they will consult widely with the trustees. Well, I can tell the member: Consult all you want with the trustees. Their position is, do not decrease the number of school boards.

**Mrs Cunningham:** I'm sure, then, if the minister believes what he just said, he has not read the Ontario Public School Boards' Association's school board structural change document, Investing in Our Communities, where they are looking at the consolidation of school boards, or the working paper number three on accountability. I recommend it for his reading. He will get some direction from the elected school boards across this province.

While you sit back and wait for voluntary action at the local level and for endless consultation and study, Mr Minister, the Premier of New Brunswick has taken action. By reducing the number of school boards two years ago from 42 to 18, Mr McKenna saved taxpayers in his province a whopping \$5 million in the first year alone, and that's big money for a small province.

By contrast, here in Ontario you have studied reducing the number of school boards in Windsor-Essex, Ottawa-Carleton, where the actual number rose by one board, and now you are studying Metro.

1420

I should say that the board I refer to was the umbrella French-language school board, which will now be a French-language school board for both the public board and the separate school board, two boards; I'm being very specific. So in light of the mounting pressure that we see on behalf of parents and from taxpayers as well, will you instruct the Metro task force to complete its work in the next 90 days so that you can take some action?

**Hon Mr Cooke:** The Metro task force that has been set up will in fact be discovering and implementing saving measures before the final report comes in. But while the member sits in the House and raises this question—and I congratulate her for finally doing it—we have been out there across the province, day in and day out, talking to school boards, talking to communities and really doing it in terms of cooperative services and shared services and decreasing the amount of money going into administration and increasing the investment into our classrooms, decreasing the number of trustees on school boards. So we've done that. No matter how you try to spin it, the fact of the matter is that we're way out in front of you. We congratulate you for finally catching up.



**Mrs Cunningham:** I'm happy that the minister does agree, therefore, with our Common Sense Revolution document, because that's exactly what we're proposing. We're just saying he should move more quickly.

In my last question, I'd like to give the minister an example of tax dollars which are at stake. If the minister has changed his mind on the reporting time—the interim report is due April 30, 1995; the final report, June 30, 1995—I think he should announce that in the House just like he announced those dates in the House just last week.

Simply by immediately approving the sharing of computer services—which I told the minister last week—warehousing and purchasing in the Metro Toronto school boards, we could save \$55 million a year in board administrative costs; just in one year.

How many millions of tax dollars in waste, duplication and overlap do we and Kent county have to identify to convince you that time is passing quickly and the time for genuine reform is now? Are you going to move more quickly and move now on this duplication of services and bureaucrats in our system?

**Mr Kimble Sutherland (Oxford):** Years, and you did nothing.

**The Speaker:** The member for Oxford is out of order. Minister.

**Hon Mr Cooke:** That's exactly what we've been doing through the establishment of the cooperative services and shared services. I think if the Conservative Party with its Common Sense Revolution is going to be honest with the people of this province, it is going to point out that in education what it is suggesting is the wiping out of junior kindergarten and the elimination of grade 13, which will mean 10,000 lost jobs; 10,000 teachers out who are now in the classroom. So don't give us this bull that you're going to save all this money in administration and bureaucracy. You are cutting back in a way that no government in this country has contemplated in the classrooms of Ontario.

#### ASSISTED HOUSING

**Mrs Margaret Marland (Mississauga South):** My question is to the Minister of Housing. I know she's aware that this morning the public accounts committee was reviewing the highly controversial mismanagement at Houselink and the Supportive Housing Coalition. I hope by now the minister has been briefed on what took place this morning. We had a highly regarded civil servant by the name of Karim Amin, who is the director now of supply and financial services but he had been the former director of audit. Mr Amin did a creditable job this morning, highly professional, in directly answering direct questions.

I would now like to ask the minister some direct questions. We learned this morning that with some of the examples of mismanagement at Houselink—for example, where the staff overpaid themselves a quarter of a million dollars in benefits and excess salaries without approval and used public funds for unauthorized travel, board dinners, parking tickets, wine and liquor for a residents' party and on and on—when the internal auditor identified

that, it was then referred to the senior staff in your ministry, who said, after the fact, "That's okay; we'll approve it." Do you agree with that kind of bookkeeping and that kind of approval of the misuse of public funds in this province?

**Hon Evelyn Gigantes (Minister of Housing):** The member will recall that this government came to office on October 1, 1990, and that the discussions which took place around Houselink at the Ministry of Housing were occurring at about that time. I'm sure she will take that into account and recognize that the changes which have come to the non-profit housing program are changes which have been put in place after that time.

In particular, I hope she will acknowledge that in the creation of the new non-profit program following our public consultation in 1991 and the establishment of the policy goals in 1992 through the document Consultation Counts we have in fact instituted a very different kind of program and that the Ministry of Housing now has a very different kind of mandate in implementing that program.

**Mrs Marland:** What I do remember is that since this government came to office, you appointed the campaign manager of Bob Rae to the high position of agent general in Tokyo. Then you allowed his mother, Meg Sears, to go on a free trip to Germany with the executive director of Houselink.

You approved the misappropriation of funds after the audit. The audit reports were received by your government, not the Liberal government. Admittedly, the mismanagement took place when the Liberals were the government, but the approval of the expenditures after the fact was made by your government.

#### Interjection.

**The Speaker (Hon David Warner):** The member for Cochrane South, come to order.

**Mrs Marland:** I simply ask you again, do you agree that all you have to do to make something right after the fact is to pat everybody on the head and say: "No, those expenditures weren't approved. We didn't approve the fact that the agency didn't get competitive bids to make contracts. We had sloppy accounting practices. We had cost overruns of up to \$1 million"? If you approve that kind of process, is that the message you're sending to all the other non-profit housing agencies in this province?

I ask you again, do you approve the approval of expenditures after the fact, without substantiated documentation, which was identified for us this morning in the accounts committee?

**Hon Ms Gigantes:** I certainly don't approve the unsubstantiated kind of allusions the member for Mississauga South is making. First of all, the agent general to whom she refers was appointed before our government was elected. She should get a little bit of her history in place.

Second of all, she is suggesting that there was a blanket approval of an audit situation in which it was identified that there were moneys owed to the Ministry of Housing and to the Ministry of Health. If she continues her work in the public accounts committee with goodwill, which I'm sure she will, then she will discover, which

she somehow hasn't recognized yet, that the Ministry of Housing has retrieved all the moneys identified in that audit.

**Mrs Marland:** It's really depressing to know that this minister is head of this corporation that wrote off \$29 million in the non-profit housing program in the last two weeks and stands here and defends a process. In fact, she is wrong: All that money hasn't been accounted for; we were told that this morning. All that money hasn't been returned. This misappropriation of funds has simply been approved by senior staff.

What we're saying to you is that your message to the people who run non-profit housing agencies in this province is, "It's okay whatever you do, because if it's not approved before, we'll approve it afterwards." I'm simply asking you again to defend how this money was spent.

1430

Why was the money not asked to be returned? Was Mrs Sears asked to pay for her trip to Germany? Was the executive director asked to pay for her trip to Germany? What about all the wine and liquor that was used for parties? What about the antique furniture?

I ask you once more, if staff around this province can appropriate funds to give themselves raises and change their salaries—

**The Speaker:** Could the member complete her question, please.

**Mrs Marland:** —and all they need is the approval after the fact, is that the kind of accounting your government believes is creditable and responsible for the people of this province's tax money?

**Hon Ms Gigantes:** The question that is being asked, the so-called question, is neither creditable nor responsible. First of all, the write-off of the land loan program was a program that went back, as she knows, before the election of this government, and the land that was acquired for those projects was not allocated under this government. She knows that. If she's suggesting we should have continued with bad projects, I don't know why she would suggest that.

When we say we received all the moneys that were owed the Ministry of Housing in return after the audit, is she just refusing to accept that fact? I don't know how to get the facts clear for the member, and I wish she would take a question period position and let us know what she thinks should have happened, for example, on the non-profit housing land loan program.

**Mrs Marland:** I'm asking you. You're the Minister of Housing. I'm asking questions.

**The Speaker:** Order.

**Hon Ms Gigantes:** If she suggests we should continue pouring good money after bad, then I think that's very unwise.

#### YOUNG OFFENDERS

**Mr Murray J. Elston (Bruce):** I'm tempted to ask a question of Mr Wilson, the chief government whip, whose seat is occupied, but I will instead address the question to my friend the Attorney General.

Tomorrow my leader, Lyn McLeod, and the Liberal

caucus will release a paper on safe communities, including in that, among other things, a request that the sentence under the Young Offenders Act be doubled in cases of murder. I ask the Attorney General if she supports such an initiative.

**Hon Marion Boyd (Attorney General):** We have been in discussions with the federal Minister of Justice for some time. As you know, Mr Speaker, the federal minister, whose responsibility and jurisdiction the Young Offenders Act is, has indicated his intention to introduce legislation during this session of the federal Parliament to increase sentences for first degree murder to 10 years for young offenders and seven years for second degree murder offences and asked for the opinion of the various ministers of justice across the country.

We have responded to the federal minister's letter, indicating some concern about the effect that that kind of mandatory sentencing would have, particularly in terms of the present system we have and most provinces have where the youth justice system does not include juries and where a sentence longer than five years would include juries, but have indicated our recognition of the clear need for longer sentences and suggested ways in which that might be accomplished.

We believe that it might be better accomplished through a presumption that people be tried in adult court, where a variety of sentencing might be available, rather than the mandatory sentences that are being proposed by the federal minister.

**Mr Elston:** I appreciate that the minister has given us some of the details, but perhaps she would want to give us an undertaking here today that she would provide us with the full script of some of those other options she's talking about.

The minister will know that an application to try certain people in adult court could in fact be refused and that would take away any ability to do anything with the sentencing. I want the Attorney General today to tell me if she disagrees with my leader's position, which is the doubling of the sentences for young offenders who commit first degree murder.

**Hon Mrs Boyd:** Certainly I can consider whether or not and can consult with my colleague as to whether it's appropriate to release a full text of a letter that went between us. I can indicate very clearly to the member that we recognize and are clear about our support for longer sentencing. We have some concerns about how that is best accomplished, and we simply want to work out with the federal Department of Justice how that can be best accomplished in a way that's going to achieve the ends.

The end of longer sentencing, of action in this area, is deterrence. The issue that the public has is the deterrence issue, whether it's the individual deterrence for an individual offender or a general deterrence within the general population.

The clear view that is held by Ontarians and Canadians in general is that the Young Offenders Act at the present time does not offer clear deterrence for these very serious crimes. We are very clear that we support in every way the necessity for the Young Offenders Act to achieve



deterrence of these very serious crimes. We will work with our federal counterparts, whose responsibility it is to make a determination on the Young Offenders Act, to try and support the accomplishment of greater deterrence through the use of longer sentences through a transfer to adult court, whatever means is going to be most effective in achieving that kind of deterrence.

#### WATER QUALITY

**Mr David Tilson (Dufferin-Peel):** I have a question for the Minister of Health. The state of California has initiated a number of lawsuits against three manufacturers of submersible pumps used in residential wells. These three manufacturers use lead in submersible pumps, which in turn leaches into the drinking water in that state.

Studies have proven, Minister, and you may know of them, that the water tested from wells that use these submersible pumps was contaminated with unacceptable levels of lead during the first 30 days of use. Are you aware of this problem, and what is your ministry doing to ensure that the pumps are not being sold in Ontario and contaminating drinking water during their first 30 days of use?

**Hon Ruth Grier (Minister of Health):** Yes, I am aware of the problem, and my ministry has been in contact with the Ministry of Environment and Energy, which issues well permits, as to how we can best determine where these pumps might be and how we can contact people and make them aware of the problem. I do not have any further information I can share with the House today, but I would be glad to report to the House when I have more details.

**Mr Tilson:** I'm pleased that you'll be doing that, Madam Minister. Of course, this is a problem particularly in rural Ontario, where many submersible pumps are used throughout the province.

This is a problem which has been occurring in other provinces, particularly the province of Prince Edward Island. Prince Edward Island's minister of the environment and health issued a press release earlier this week that warned of the health risks associated with newly installed submersible pumps during their first few months of use.

Would you be prepared, as the Minister of Health, to protect the people of Ontario by issuing a similar press release and advising Ontario residents of the risks of using these types of pumps?

**Hon Mrs Grier:** I'm happy to assure the member that once my colleague the Minister of Energy and the officials from his ministry and my ministry have determined what the facts are, then we will take whatever action is required to protect the people of this province.

#### MENTAL HEALTH SERVICES

**Mr Pat Hayes (Essex-Kent):** I have a question for the Minister of Health regarding the plight of the ex-psychiatric patients' residence in the town of Ridgetown. This is a privately operated home for those needing 24-hour supervision.

In 1989 Kent county withdrew from the domiciliary hostel program, and subsequently the CMHA, Kent, received the contract to provide case management

programming services for the residents as well as funding the contract with the operator to provide residential services, mainly accommodation and food. In 1990 funding for the residential services was dropped, and the mortgage holder foreclosed in 1992. Now the facility is being operated by a receiver out of compassion for the plight of the residents.

There have been many studies which have concluded that there are no suitable alternative facilities in the county. In any case, the residents, many of whom have lived there for some 10 years, wish to stay together.

Madam Minister, what we want to know is, what support can the residents of Ridgetown residence and the citizens' committee expect from your ministry, and how soon? Even though the Liberals over there don't care about these people, I want to know and so do my constituents.

**Hon Ruth Grier (Minister of Health):** I can assure the people of Ridgetown and the surrounding area that the member does want to know about their wellbeing and has discussed this with me on many occasions. I want to say to him that recent meetings between my ministry and officials of the Kent county Canadian Mental Health Association have discussed the future residence and support systems that people need.

1440

**Mr Steven W. Mahoney (Mississauga West):** Then why did he ask you now?

**Mr Murray J. Elston (Bruce):** Why did he have to ask you again here?

**Hon Mrs Grier:** I think it is appropriate for the member to raise the question now, in response to members of the opposition who wonder why he's doing so, because we have not been able to resolve the situation. The house is in receivership, and I share his concern that appropriate support services be available. I want to assure him that we are prepared to fund the Canadian Mental Health Association to provide those additional support services.

When he says that extensive studies have indicated that there is no alternative to the present accommodation, I would have to differ with him and to say that it is not at all clear whether in fact this is the most appropriate location or residential setting for the patients concerned. That's our primary concern and we will continue to work to make sure that's resolved.

**Mr Tony Ruprecht (Parkdale):** I have a question for the Minister of Health on the subject of constructing a new facility for the criminally insane.

Two days ago we had a public meeting which was attended by over 400 irate citizens and three reps of the Minister of Health. All of us who were attending there were relieved that the reps said they had agreed that the decision that the ministry had made for this new facility at the Queen Street Mental Health Centre was a wrong decision.

I'm asking today, if the minister should receive a recommendation from the regional director of mental health program services and the regional head of forensic operations, will she then halt this construction and review this decision?

**Hon Mrs Grier:** I am amazed at the member's characterization of the submissions made at the meeting by representatives of the Queen Street Mental Health Centre. Certainly one of my staff attended the meeting—I regret that I was unable to do so—and that was not in fact any position taken by representatives of the Ministry of Health.

I certainly understand the community's concern. I have met with representatives of the community. The member for Fort York has made me well aware of the fact that a number of his constituents don't believe that they had an opportunity to participate in this discussion. I have visited the facility.

Let me say to the member, there is nowhere in the greater Toronto area that is a medium-security facility for people with mental illness, and I think it is long overdue that there be those facilities. This is not an addition to Queen Street; this is a change of one floor in one building into a medium-security facility to accommodate 20 patients. At this point I have no reason to believe that it is not badly needed in the greater Toronto area.

**Mr Ruprecht:** That certainly was not the question. The question was, Madam Minister, will you change your mind and review this decision if your regional director is giving you a new recommendation? That was the question, and I would expect that you would answer it.

My supplementary really is, you might have heard from previous reports, especially in the Toronto Sun, that your own NDP colleague the MPP for Fort York was totally clueless, as you left him out to dry, to defend this ill-advised decision. I quote for you, should you have forgotten this. "‘Nobody has been consulted,’ a disgruntled Marchese said. ‘I was surprised it was happening without my knowledge. You can't say it's a good idea if no one even had the opportunity to talk about this proposal.’"

Madam Minister, the residents want to talk about this proposal to you, and they have requested to hear from you personally. The question is, are you prepared to meet and to speak with them at a public meeting or forum, either in Fort York or in Parkdale, to explain what you so beautifully explained in this House of how this decision is going to affect or not going to affect the residents?

**Hon Mrs Grier:** I and members of my staff have met with the community advisory board. There have been extensive meetings with the member for Fort York and local representatives of the area. The member's question continues to puzzle me. There has been a lot of discussion about lack of consultation, and I agree that the consultation was perhaps not as wide as it might have been, or the public was not aware of it. But I understand that at the meeting to which the member refers, a member of his constituency rose and read a letter, dated March 1993, to the honourable member raising concerns about the forensic facility. He said at the meeting that he hadn't had any response and he wondered why his MPP had not responded to his concern.

#### COURT SYSTEM

**Mr Charles Harnick (Willowdale):** My question is to the Attorney General, and it deals with masters of the Ontario Court of Justice.

Minister, you know that masters of the Ontario Court of Justice look after pre-trial motions in civil matters. In Metro Toronto they do mechanics' lien trials. They look after family law matters, and yesterday and virtually every day of the week they deal with approximately 100 to 150 matters. Your government and the Liberal government before you came up with a plan to get rid of the masters of the Ontario Court of Justice. When all of these masters are gone, who's going to look after these 100 to 150 items every day?

**Hon Marion Boyd (Attorney General):** The member asks an excellent question and one that certainly concerns all of the legal profession and those who participate in the commercial law sector. He is right that the changes in the court system were brought in under the previous Liberal government, and our government, in looking at those changes, made a determination to carry through with the alterations that had happened.

There has been a steady attrition in the number of masters. I believe there are nine who continue to work in the Toronto area. What the member didn't say was that these masters have only ever existed in two jurisdictions, actually at one point three jurisdictions, in the province of Ontario, and that the rest of the province has dealt very well without the operation of this particular office.

In the civil justice review that the Chief Justice and I have jointly initiated, one of the aspects of that that is being considered is indeed how to do this work in a different way, what kinds of experts might do this work, whether it needs to be the judiciary or whether in certain circumstances, certainly with the consent of the participants, it could be an expert who could look at these issues.

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.

**Hon Mrs Boyd:** We're deeply concerned, as the member is, and are determined to work together with the judiciary to resolve this issue.

**Mr Harnick:** It's passing strange when the minister says that someone is going to have to do this work. The only someones left, if the masters are no longer available in Metropolitan Toronto, where lists reach upwards of 150 a day, are judges.

Are you going to tell me now and stand in this place and say that judges have time to do this, when at the same time you've appointed a committee to look after the fact that there's a backlog of civil cases in this province that has reached almost epidemic proportion? Who's going to do the work?

If you're going to replace them with other people, why don't you just keep the masters, as the profession has asked you to do over and over and over again, and at the very least, stand here and say that this committee that you've now struck will review what the job of the masters is, whether the masters should remain, and that you will accept the recommendation they make.

**Hon Mrs Boyd:** I will be very clear. We're not contemplating reintroducing masters. What we are doing is working together with the judiciary because together we recognize that indeed if judges need to do all this



work, it is a very serious impediment to access to justice.

The committee's job is not just to study but to come up with solutions to this issue. We do not believe that in every case it is necessary for a judge to make these determinations, and we are looking at the circumstances, the protocol and the standards under which other solutions might be made. There have been suggestions over many years about other solutions than judges doing this adjudication, particularly with the consent of the parties involved, and that is the work we are doing, together with the judiciary.

I fully expect that we will come up with solutions that are mutually satisfactory, that indeed have not only the consent but the enthusiastic participation and agreement of both the ministry and the judiciary as we go through the process.

**The Speaker:** Could the minister conclude her response, please.

**Hon Mrs Boyd:** I would urge the member not to try and assume that one solution or another will be recommended by that committee, because the committee has been very clear that it is keeping an open mind and seeking solutions, not necessarily rolling the clock backward to a solution that may have been appropriate at one point but may no longer be appropriate at this point.  
1450

#### PORK INDUSTRY

**Mr Kimble Sutherland (Oxford):** My question is to the Minister of Agriculture, Food and Rural Affairs. At the recent Oxford County Federation of Agriculture day called Oxford 2000, a pork producer raised a concern about testing for the pork industry. He was concerned that testing that formerly was performed at Centralia College and was supposed to be transferred to Guelph is being done in the United States instead because Guelph does not have the ability to do the tests or analyse the results.

Minister, is it true that the specialized testing that had been done at Centralia for the swine industry is now being done in the United States?

**Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs):** I'd like to thank the member for the question, because sometimes rumours circulate around rural Ontario that are not accurate and I think it's important to give the opportunity to correct the record and dispel any rumours.

The member is right: There is one test that we have always sent to the US, that in fact we send to Iowa. It's a test for a disease that's known as porcine reproductive respiratory syndrome. When we test for that particular disease, which is also known as mystery swine disease, we've always sent the samples to Iowa. But I want to assure the member and all the pork producers in the province that all the tests that were done at Centralia before are currently being done in Guelph. We will continue to provide all the tests that were provided before by Centralia.

**Mr Sutherland:** Thank you for that answer, Minister. The pork producers were also concerned about the support the Quebec government was providing its hog

industry compared to provincial support for our industry in Ontario. Minister, can you tell the pork producers in Oxford and across Ontario what you are doing to support the pork industry to ensure it is competitive with its fellow producers in Quebec?

**Mr Noble Villeneuve (S-D-G & East Grenville):** This is not a pork barrel.

**Hon Mr Buchanan:** I know the member across the way from Stormont, Dundas and Glengarry can't wait to get on the order paper to ask questions about the budget.

At any rate, in terms of supporting the pork industry in Ontario and especially in the member's riding of Oxford, a couple of things we have been trying to do in this province are make sure that pork producers have access to all national programs, current and future.

In fact, we're in the process of phasing out what's called a national tripartite program for pork producers. We'll be looking at a new, whole-farm approach. The ministers will be talking about that in Winnipeg in July. We certainly want to make sure that Ontario pork producers get treated equitably by the federal government.

One other point I want to make on what we have done: Ontario Swine Improvement Inc is an organization of producers that we have allowed to be set up to make sure that we continue to have superior breeding stock in this province. We actually have a very good record in terms of bacon and pork production that we export to the US. This government will continue to support that industry and make sure that it continues to be a viable agricultural industry here in this province.

#### MENTAL HEALTH SERVICES

**Mr James J. Bradley (St Catharines):** My question is for the Minister of Health. The following statement was made recently in St Catharines: "People with mental health problems would be better off moving out of Niagara, the regional committee was told yesterday. The residents of Niagara are not getting a fair deal when it comes to mental health services." Dr Art Comley, a Niagara family physician and head of an advisory committee on mental health issues had that to say. He said there's a great dearth of psychiatric care in Niagara, and a person who's working with him, Brenda Coleman, who joins Comley on the advisory committee, said: "If you have a mental illness, you should move. The Niagara area falls short compared to services in places such as Hamilton, Waterloo and Oakville."

Would the minister tell us, within the allocation that is provided to her, what she intends to do to improve the circumstances for those suffering from mental health problems in the Niagara region?

**Hon Ruth Grier (Minister of Health):** The kind of debate over the need for mental health services that I'm sure is occurring in the Niagara region and other parts of this province is exactly the kind of debate and the planning that will lead us to be able to have in this province a mental health system that meets the needs of everyone.

It's now almost a year since we released the report on mental health reform in this province, Putting People

First, which was based on the work that had been done by the Graham committee and under previous governments.

The planning that is evolving from that is well under way by district health councils and I suspect the comment you refer to was part of the discussion in Niagara region. As the district health councils prepare their plans and submit them to the ministry, then we'll be in a position to respond, setting out clear priorities and making it very plain that the need to meet the needs of people with mental illness is one that involves both care in the community and care in institutions.

**Mr Bradley:** One of the problems we encounter in the Niagara region when the local members meet with the Niagara District Health Council or others to discuss issues of this kind is that it is said we can acquire these services in a place such as Hamilton, because it's a regional centre. Yet when people from St Catharines and Niagara Falls and other places in the Niagara Peninsula endeavour to receive those services, they find that in fact they've been largely occupied by the people right in Hamilton and the immediate district.

Would the minister tell us whether she believes that the appropriate answer is going to be for people in St Catharines and Niagara Falls and Welland and Port Colborne to always have to go to Hamilton when apparently Hamilton appears to be serving its own people first?

**Hon Mrs Grier:** Let me assure the member that my colleagues from the peninsula have made me well aware of this concern and sometimes this perception that Hamilton is better served than the peninsula. I see them nodding. We have had those conversations.

Let me say to the member that I think it is highly unlikely that a new psychiatric hospital would be built. The Hamilton Psychiatric Hospital serves a regional need, but the purpose in planning for mental health services on a district health council basis is precisely so that we can identify those services that are not being provided in various districts now and where they need to be enhanced, because I see the services to serve the severely mentally ill and to serve the families and the supporters of those people as being best placed in the communities where people live.

That doesn't mean we will not always have the need for the institution which will serve the region, but yes, I agree with him that it is important to look at the specific needs of the area he represents and of the peninsula and meet those needs. I hope the plans will allow us to do that.

#### SPOUSAL BENEFITS

**Mr Chris Stockwell (Etobicoke West):** My question is to the Attorney General on same-sex spousal benefits. Attorney General, considering the fact that there's been a free vote declared on that side of the House as well as on this side of the House, I would like to know if your ministry or any ministry within the government has done any polling on this issue. If they have done the polling, considering your track record in opposition, I would assume that with the free vote declared, the polling would in fact be made available to all parties. Have you done

any polling on this and, if so, may we be able to look at this before the vote is taken?

**Hon Marion Boyd (Attorney General):** I know there has been some polling done on this and in recent months we've devised a number of questions, but frankly I have not seen the results of any and I'm not sure whether the poll has been conducted to this point. I can find that out for the member, and certainly anything that is made available to me as a result of that polling, I have no problem with sharing.

**Mr Stockwell:** That's good. Thank you, Madam Minister.

I would also ask further that if this passes second reading, will it be referred to committee so the public in the province of Ontario may have an opportunity to comment and have input on the legislation?

**Hon Mrs Boyd:** I know that the member knows that we were very, very supportive of the previous bill, Bill 45, that was brought forward by the Liberal member for St George-St David going forward to committee, and indeed had done a good deal of work to try to ensure that all the various views on this issue would be presented to the committee. At this point in time, I think that decision will be up to the members of this House as to whether they wish it.

I can tell you that we're of two opinions here. We believe that given the kind of legislation we'll be bringing forward, it's relatively straightforward. We're talking about a human rights issue. We're talking about an issue that is a very straightforward one of whether we as a Legislature here believe that it is appropriate for one small group of people to be exempted from equal human rights in this province. It may well be that this Legislature will clearly determine that it is not necessary for lengthy hearings. I can't imagine that there wouldn't be some hearings at all.

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.

**Hon Mrs Boyd:** I can't imagine that would be our decision, because it is a very important issue, but I can't tell him the extent to which that would be or to which committee at this point in time we would recommend it be sent.

1500

#### LONG-TERM CARE

**Ms Margaret H. Harrington (Niagara Falls):** My question is to the Minister of Health, and I would like to thank the member across the way for his concern about mental health needs around Niagara. It is a great need.

Madam Minister, chronic care beds at my local hospital are closing, and placement is in long-term care facilities through the placement coordination services that are being set up. I have had several constituents in my office who are worried about this placement, and I'll tell you why.

For example, a spouse is being placed in a long-term care facility which is not in Niagara Falls. The other spouse has been used to visiting daily and helping out their loved one. They are very much afraid that if they're not able to go daily, their loved one's health will go



downhill. In Niagara Falls we have only one regional home and that's Dorchester Manor, and virtually no public transit between Niagara Falls and Fort Erie, and Niagara Falls and Niagara-on-the-Lake.

What criteria do you use to place people and make sure that they have access to their loved ones in long-term care facilities?

**Hon Ruth Grier (Minister of Health):** Let me respond by saying that placement coordination is placement coordination. It's not placing people in facilities; it's providing the information in one spot that makes it easier for people to choose the facility in which they want to be. Placement coordination is now available, through our expansion, across most of Ontario and soon will be throughout the province.

It is the consumers who decide where they want to go. The placement coordination service provides the consumers with all the information about the options available to them and avoids what's happening currently, which is consumers having to be on seven waiting lists, if there are in fact seven facilities, and not know when they might be able to get into one.

I can't say strongly enough that the applicants choose the facility they want to stay in. The placement coordination service makes it as easy as possible for the consumers to find the homes that most meet their needs and provides them with the information about the care and the services offered.

Of course, I agree with her completely that everyone wants to be close to their home and in their own community. That's what our reform of long-term care is all about, and that's what I believe it will make possible for people all across this province.

**The Speaker (Hon David Warner):** The time for oral questions has expired. Pursuant to standing order 34(a), the member for Scarborough-Agincourt has given notice of his dissatisfaction with the answer to his question, given by the Premier, concerning federal-provincial infrastructure spending. This matter will be debated today at 6 pm.

**Mr Tony Ruprecht (Parkdale):** On a point of order, Mr Speaker: As you just read, pursuant to standing order 34(a), I too wish to advise you of my dissatisfaction. It's with the response of the Minister of Health to my question on the expanded facility at the Queen Street Mental Health Centre for the criminally insane. I wish to have that debated tonight at six.

**The Speaker:** I trust the member will send the necessary document to the table.

#### MEMBER'S PRIVILEGE

**Mr David Turnbull (York Mills):** Mr Speaker, I have notified you in advance that I rise on a point of privilege and I have given you documentation. I would crave your indulgence so that I may get everything on the record and so that you may rule.

My privilege of freedom of speech, on my behalf and on behalf of my constituents, has been circumscribed by the fact that this government has not sought the approval of this House for any of its budgets.

As set out in the sixth edition of Beauchesne's Parlia-

mentary Rules and Forms, paragraph 976, page 264, "What distinguishes a budget from any other financial statement is the motion 'That this House approves in general the budgetary policy of the government'...."

One of the basic tenets of responsible government is that government seeks support of its policies from the House. The budget is the clearest and most fundamental statement of the government's policy and, as such, members of the House should be afforded an opportunity to vote on the legitimacy of the fiscal course being charted by the government.

The government has control of the order paper, and the way in which it's choosing to conduct its business is a violation of my right to vote on the item of business which the people of York Mills have deemed to be fundamental and vital.

The 21st edition of Erskine May's Parliamentary Practice confirms that some privileges rest solely upon the law and custom of Parliament and notices that the most important sources from which existing forms and rules of procedures are drawn are "Practice," followed by "The standing orders" and then "Rulings from the Chair"—Erskine May, 21st edition, page 2.

With respect to the handling of the budget, it is the practice of this House to debate the main budgetary motion and then vote on it. We have not voted on any of the budgets introduced by this government and are now in the unusual circumstance of having two budget motions, pertaining to the 1993 and the 1994 budgets, on the order paper simultaneously.

We do debate and vote on interim supply motions and other taxation bills at other times during the year, but the budget stands alone in being treated as a significant policy statement. The lockup exercises and corresponding media circus which ensue on budget day underscore its significance. The cameras are not trained on the Legislature when we finally get around, in a midnight sitting, to a debate of interim supply.

The traditional handling of the budget in this House, as described by Dr Graham White's definitive study, *The Ontario Legislature*, is to table it in the spring, debate it and then vote on it as the last order of business before the House adjourns for the December break.

Mr Speaker, I have provided you with excerpts from the final status of business for the period of 1980 through 1992, and a summary of the way in which the budget was handled by the House during the period, to illustrate that there's a tradition in this House of fully debating the main resolution and then voting on the motion. The House has deviated from this practice for good reasons in years when an election is called, but I repeat that the usual tradition of this House is to vote on the budget after a period of debate which is longer than has been offered by this government.

Mr Speaker, I ask you to rule on this violation of the custom and traditions of this House, noting that under standing order 1(b), in ruling on questions not provided for in the standing orders, you shall base your "decision on the usages and precedents of the Legislature and parliamentary tradition."

I thank you for your consideration in this matter.

**The Speaker (Hon David Warner):** May I say to the honourable member for York Mills first that I appreciate the manner in which he brought this item to my attention, and indeed he has supplied me with the information of which he speaks. I am aware of the situation he draws to my attention. While I'm not sure whether or not the member has a point of privilege, I will be most pleased to examine the documents he has brought to my attention, the situation which he describes, and I will report back to the House as early as I can. I thank the member.

#### MOTIONS

##### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Brian A. Charlton (Government House Leader):** I move that Mr O'Neil (Quinte) and Mr McGuinty exchange places in the order of precedence for private member's public business.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

1510

##### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Hon Brian A. Charlton (Government House Leader):** Mr Speaker, I believe we have the consent of the House, and you can test that, to deal now with the motion which was tabled earlier this week regarding the appointment of the Environmental Commissioner.

**The Speaker (Hon David Warner):** Do we have agreement? Agreed.

**Hon Mr Charlton:** "To the Lieutenant Governor in Council:

"We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario now assembled, request the appointment of Eva Ligeti as Environmental Commissioner for the province of Ontario as provided in section 49 of the Environmental Bill of Rights, 1993, to hold office under the terms and conditions of the said act, and that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker."

I believe we had agreement among the three parties that one member from each of the parties would speak to this motion. The member for Oxford will be speaking on behalf of the government.

**Mr Kimble Sutherland (Oxford):** It's a pleasure for me to participate in this discussion on the appointment of Eva Ligeti as the Environmental Commissioner.

First of all, before I begin, let me say that I want to thank the work of Ellen Schoenberger, director of human resources for the Legislative Assembly, for all her assistance in going through the applications and assisting the committee in going through a formal interview process.

We had more than 200 applications for the position, and I think that reflects and bodes well for the degree of public interest in the Environmental Bill of Rights but also in the Environmental Commissioner, in seeing this as a very important position, not only being an officer of the Legislative Assembly but of the people of Ontario

and what the role of the Environmental Commissioner can be.

As I was saying, there were more than 200. Obviously, we didn't interview all 200. We narrowed it down to a group of 20 who were interviewed. Let me say too that I have not participated in this type of interview process before here at the assembly for choosing one of the officers, but I was most impressed by the level of those 20 candidates and some of the others we didn't interview. It was very impressive.

All the candidates we interviewed had tremendous backgrounds, either specifically in environmental areas or in public policy or participating in some type of agency or public commission. I got a great sense that all the candidates had a very strong desire and strong interest in serving not only this House and the assembly but also the people of Ontario.

Not everyone could be chosen, of course, and we had to choose one person. I was very pleased with the selection of Ms Ligeti. I believe she brings to the position a wide degree of experience. Ms Ligeti has a background in law; she is a lawyer. Although my colleague from Windsor-Walkerville is not present, I would be remiss if I didn't mention that Ms Ligeti is a graduate of the University of Windsor law school, of which the member for Windsor-Walkerville is also a graduate. Besides that, she also received a master's in law from Osgoode.

Her last position before taking on this one was as chair of the school of legal and public administration at the Sheppard campus of Seneca College. So she has a great deal of involvement and experience within our community college system, which does serve this province very well.

She has experience in working within the court system. She did spend a couple of years as legal counsel for the Canadian Environmental Law Association. She has experience there. She has operated in general practice. She also worked for a couple of years with the office of the Chief Judge of the provincial court (criminal division), working for Chief Judge Hayes.

As you can see, Ms Ligeti has a proven track record of working in many different areas not only of the law but also of the environment, but also has a very extensive background of working in many community groups and different organizations. That extensive experience will serve her well in the challenges she will face as Environmental Commissioner in terms of having to deal with many different interests: those who have a strong interest in the environment, business communities, rural Ontario, those involved in agriculture, and many other community groups. I think she has very strong skills, particularly communication skills, and will do a wonderful job of engaging the public in the issues around the Environmental Bill of Rights and making sure they're aware of that.

To those who are listening and watching today, I know there is already a great deal of interest in it, people wanting to use the Environmental Bill of Rights to look at a lot of areas. I would only ask that they be somewhat patient and understanding that not only do we have a new commissioner, but this is a new office, and there are



always challenges and difficulties that need to be worked through when you're establishing a new office. I hope the many people who want to use the office of the Environmental Commissioner will be patient and understanding as they work to get the office up and running to serve the people of Ontario.

Let me say in conclusion that we have a very, very good person to take on the position of Environmental Commissioner. I want to again thank all the other members of the committee who were involved in the interview process, and Ellen Schoenberger in human resources at the Legislative Assembly, for all their assistance.

**Mr Steven Offer (Mississauga North):** Let me say at the outset on behalf of the Liberal caucus that we welcome and congratulate Eva Ligeti on her appointment as the Environmental Commissioner. As the Environment critic for our party, I went through the deliberations on the Environmental Bill of Rights and then had the opportunity of going through the appointment process for the Environmental Commissioner. Something like 280 people expressed interest in the position, submitted résumés, and they are very talented people from a broad cross-section of this province.

I'd like to thank Ellen Schoenberger for her work and assistance to the committee in terms of going through the résumés and helping us in our assessment about who we felt might be best for the position. It is not an easy decision to make. It took a great deal of time and a great deal of deliberation, and there were many very qualified people who did take the time and effort to apply for the position, who came before the committee for interviews, and some for second interviews.

I have no hesitation that Eva Ligeti, through her past experience, will bring a great talent to the position. It's a new position. It's an untried position. It's an untested office. There will be many people who will be watching how this Environmental Commissioner and this office will work, how the operation of the Environmental Bill of Rights will proceed.

As you know, there have been concerns raised that the office of the Environmental Commissioner is one that should not be expanded to a size that does not serve the people of the province in their best interest. I believe the current choice, Ms Ligeti, is sensitive to the concerns that have been raised that this type of office should not become more of a bureaucratic maze, as has been seen in the past. Without question, that will be a major challenge and one which I feel Ms Ligeti will be up to meeting.

There is an expectation on the part of the people of the province about what the Environmental Bill of Rights is, what it will do, what it holds itself out to be. There is an expectation about what the Environmental Commissioner is, what the Environmental Commissioner's functions are, how they will serve members of the Legislature and indeed be a servant to the Legislative Assembly.

1520

I believe there are still many questions that are yet to be answered, but I believe the selection of Ms Ligeti is in keeping with what I hope is a consensus of opinion about what the office should be, what its functions should be,

how the Environmental Bill of Rights should operate. We, of course, as members of the Legislature, will be very cognizant of what goes on in that office and how it operates. I know all members of this Legislature, and all people, will be very cognizant of how the office is set up and the size of the office. I believe that is a function and a responsibility that Ms Ligeti will hold well.

She, as I have said, brings a wealth of experience. She brings, in my opinion, a certain humanistic quality to the office which I believe will bode well for the successful operation of the bill of rights and the office of the Environmental Commissioner.

I would like, on behalf of my caucus, to congratulate Ms Ligeti on her selection. I would like to thank Ellen Schoenberger for the help she rendered to the committee in its deliberation and the assessment of candidates. And I would like to congratulate all of those who saw fit to apply for this position, for taking the time and the effort to come, either through résumé or through application and interview, to the committee.

We will all be watching how the office of the Environmental Commissioner evolves, the growth of that office, how it deals with the issues and its report to this Legislature. We are well aware of the provisions of the Environmental Bill of Rights. We are also well aware, through the deliberation on the legislation itself, of the concern people had that the office should not grow to a size that would be a detriment to its successful and effective operation.

Having said that, once more I would like to congratulate Ms Eva Ligeti on her appointment as Ontario's first Environmental Commissioner.

**Mr David Tilson (Dufferin-Peel):** I'd like to congratulate Ms Ligeti. I guess it's Dr Ligeti. Is it Doctor? Anyway, she's certainly a well-qualified person for this position. I sat on the committee, along with the previous two speakers, and we interviewed 19 individuals, I think it was. All of them were well qualified, and many others, from their curriculum vitae, were certainly well qualified as well. But Ms Ligeti did impress us and I think the committee was unanimous in that choice. Looking at her qualifications, her legal background, her public background, her educational background, she certainly will be qualified for the job.

The concern I have is of course the operation of the Environmental Bill of Rights office. We in our party are concerned about the issue of the cost, about whether it will be another layer of bureaucracy over which we'll simply have no control.

One of the questions I asked on the committee of all the applicants for the job was that if in their first few months of office there was a tremendous deluge of applications of people concerned with issues in the environment, would the commissioner's office be able to handle these issues? Some of the answers were fair and some of the answers were poor, because obviously there's a great limitation of staff, notwithstanding the fact that the government has seen fit to appoint a number of individuals to the Environmental Bill of Rights office even before the bill was passed. This office is established at the office of the Minister of Environment and Energy

and has been described in the provincial telephone directory. There have been a number of people working for several months. At least 10 people have been working in the office of the Environmental Bill of Rights, without the commissioner, for a great many months.

**Mr Chris Stockwell (Etobicoke West):** What are they doing?

**Mr Tilson:** I don't know what they're doing. There's a director, there are several senior analysts, there's an administrative coordinator, there's an environmental commission analyst, there's an implementation coordinator, there's a coordinator of the environmental commission training and communications and then there's another senior policy analyst. I don't know how many more are going to be hired.

The Board of Internal Economy, of course, approved Ms Ligeti's salary. They also approved her budget. Quite frankly, one of the concerns I have is that we have absolutely no idea what this bureaucracy is going to cost and whether they're going to be effective in dealing with concerns about the environment.

One of the issues that has come up in this Legislature recently has been the topic of the Flying Toad co-op on the Toronto Islands. Bill 61 was passed and literally enables the Ministry of Municipal Affairs and other ministries to bypass the traditional planning standards we've had in this province.

This morning, Mrs Marland, the member for Mississauga South, and I made an application to the commissioner—I presume it will be one of her first applications—to deal with this issue, because this is something a number of groups have expressed concerns about with respect to environmental problems in the province.

In a statement earlier today in this place, I expressed concerns that notwithstanding the fact that the Metropolitan Toronto and Region Conservation Authority has designated these lands as an environmentally significant area, that the Ontario Ministry of Natural Resources has identified these lands as regionally significant areas of natural and scientific interest and that the Crombie commission recommended their full protection, notwithstanding all these things, the government is proceeding in building these co-ops. In fact, the provincial government is literally building a dike around the outside of these floodplain lands to stop water and others from affecting the co-ops and this building.

We in the Progressive Conservative Party are concerned with the environment of the Toronto Islands. I had my staff telephone the commissioner's office this morning—because we know their office; they have the same office and address and I believe telephone number as the Minister of Environment and Energy. They said they would be unable to handle that application for a considerable period; in fact, that the earliest they would get their office up and running would be by the end of the summer. That's before they could even look at it.

So we have a lot of concerns about the effectiveness of this operation. For example, on the issue of the casino in Windsor, a number of people in Windsor are concerned about whether there should be an environmental assess-

ment in the city and whether the Minister of Environment and Energy has overstepped his discretionary powers in refusing the right to have an environmental assessment in Windsor. I expect this issue will be raised with the Environmental Commissioner's office.

So those are two issues alive today that we know will not be dealt with for a considerable time.

On the issue of cost, the Minister of Environment and Energy did state in a press conference last year that the government would probably spend \$4.5 million over the next two years to implement the legislation. That is one of our major fears: that this is extremely low and that the cost will far exceed \$4.5 million.

At a time when this government is cutting back on the number of staff for the various ministries, you may recall that in the Environmental Bill of Rights there's an obligation for various ministries, I think 14 of them, to prepare environmental statements. That will require the staff to spend some time preparing those statements. As well as that, there will be time in investigations on various issues. The cost to those ministries will be high, in terms of the time that's required for properly preparing those statements. This is at a time when the staff of the Ministry of Environment and Energy and other ministries is being cut under the social contract and other cost-saving measures because of the high deficit of this province. So the very ministries that are being criticized for not being effectively operated are being cut back in staff, and yet here we're hiring a whole new bureaucracy.

1530

To be fair to Ms Ligeti—and I don't mean to attack her personally, because certainly I was one who supported her retention as the commissioner—my concern is that she's going to be operating a system that will be impossible for her to effectively operate, particularly when the earliest that she can even look at an application such as mine and the member for Mississauga South's is this summer.

Now, \$4.5 million is a very conservative estimate and I'm certain that this number would not include, as I say, the cost to the 14 ministries to formulate their statements of environmental values, a process that will probably involve considerable financial and human resources simply to prepare those statements, aside from the commissioner getting into various environmental concerns around this province that range from all kinds of subjects, from the building of co-ops on Toronto Island to the construction of a temporary and permanent casino in the city of Windsor.

Our party still has a concern with respect to the ability of the government, particularly the Ministry of Environment and Energy, to enforce this legislation. We know as a fact, because it's come up at estimates and other committees at this place, that there has been some difficulty. The Ministry of Environment in particular, in enforcing its regulations and its requirements, simply doesn't have the person-power to make those inspections.

Now they're going to be asked to do all kinds of things. My recollection was there were something like 51 cutbacks in staff at the Ministry of Environment—I could



be corrected on that—last year, yet it's going to be asked to do even more. So our fear is that this implementation not only of the commission but what the commission will be doing to the various ministries will create many problems.

In the very near future, the commissioner's office, I believe, will be simply buried with requests for investigations and reviews. The strain on many branches of the Ministry of Environment and Energy, particularly investigations and enforcement, will be simply unbelievable and enormous. I say that the Ministry of Environment is having difficulty enforcing these things now. With this whole new bureaucracy, not only the commissioner's office will be unable to effectively operate, but the Ministry of Environment and the other 13 ministries will have difficulty as well.

During our questioning of candidates for this position, we made comparisons on the subject of the Ontario Human Rights Code and the Environmental Bill of Rights. The fact of the matter is that applications to the Human Rights Commission take at least a year and, in many cases, over a year—a year and a half—to process. We believe that a similar problem is going to exist with the whole subject of the environmental commission.

There will be so many applications that only one thing is going to happen. Either it's going to get buried in paperwork and applications, or it's simply going to have to come back to this place and ask for a larger budget with more staff to effectively operate. I, quite frankly, don't think that the whole process has been properly thought out.

Voters in Ontario are well aware of the problems of the Human Rights Commission with respect to the back-ups and the speed of processing complaints. The potential, as I've indicated, for a similar scenario arising at the Environmental Commissioner's office certainly exists.

I have often referred to a quote from a Toronto lawyer, Ian Blue. Mr Blue, to anyone who has been involved in environmental matters, is a well-known specialist in environmental law. He has stated that this legislation is an admission by this government that the Ministry of Environment has not been doing its job. Why do we need another bureaucracy to deal with the complaints that have been going to the Ministry of Environment that the Ministry of Environment hasn't been able to deal with?

We're going to have a bureaucracy that will be weighted down with complaints that simply can't do what the Ministry of Environment already can't even do. It's a double negative, I know, but it's a concern of this side of the House, particularly when we're in a period of restraint and have grave concerns as to deficits and high budgets and other matters such as that.

Michael Crawford, the executive director for Canadian Lawyer magazine, has noted that the problem is with the Ministry of Environment. If they aren't powerful enough to go after offenders, why not fix that problem and give them more power? That has been another criticism that we on this side have raised, that there already was a process. There was a process in environmental assessments and environmental protection so that individuals could deal with certain environmental issues in this

province, and that didn't work. I can tell you that this system is going to be even worse.

I wish Ms Ligeti well in her process, but I'm afraid that the government hasn't given her the tools that she's going to be required to deal with in solving many of the problems in this province. I am especially concerned with the information that I've received this morning, as I indicated, that the commissioner's office simply won't be in a position to effectively operate until at least the end of this summer. By that time, I don't know how many applications are going to be before her or before her office, I don't know how many staff are going to be required for her to deal with that, but I have grave concerns and I worry about the effectiveness of the whole operation of the Environmental Commissioner's office.

**Mr James J. Bradley (St Catharines):** I'll be extremely brief, because our member spoke for only two minutes here today.

**The Speaker:** The member for St Catharines, there was unanimous consent earlier that one person from each of the three parties make a few brief remarks regarding the appointment of Ms Ligeti.

**Mr Offer:** I ask for unanimous consent for one further speaker.

**The Speaker:** The request which the member wishes to make is certainly in order. Is there unanimous consent to hear one more person?

**Mr Anthony Perruzza (Downsview):** From each party? No, I don't agree to that.

**The Speaker:** No. Agreed.

**Mr Bradley:** Thank you for the unanimous consent. I'll be extremely brief because of that.

I simply wanted to first of all congratulate the new commissioner and note that if the commissioner is going to be able to do the job appropriately, I urge all members of the House, particularly on the government side, to ensure that there is sufficient funding. Because of the economic circumstances that have faced the province, the budget, for instance, of the ministry operating end—and you'll know the difference between the operating and capital—has gone down some \$161 million in the period between 1992-93 and 1994-95.

The only reason I mention this is this will put a new onus on the Ministry of Environment to be able to carry out its responsibilities, so I urge all members of the House on all sides to support the Minister of Environment in securing the necessary funding, which will require some increase if the commissioner is to be very effective.

The ministry now is facing, as all ministries do, significant cutbacks in resources, money and personnel. I think it's extremely important, to help out the new commissioner, who I know will want to do a good job, that we have that sufficient funding available.

**The Speaker:** I wish to thank the honourable members for Oxford, Mississauga North, Dufferin-Peel and St Catharines for their words of welcome to our latest officer of the Legislative Assembly of Ontario.

Shall the motion carry? Agreed.

Before petitions, pursuant to standing order 34(a), the member for Parkdale has given notice of his dissatisfaction with the answer to his question given by the Minister of Health concerning the Queen Street Mental Health Centre expanded facility. This matter will be debated today at 6 pm.

1540

### PETITIONS

#### MENTAL HEALTH SERVICES

**Mr Tony Ruprecht (Parkdale):** I keep getting these petitions on this expanded facility for the criminally insane. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the NDP government is hell-bent on establishing a 20-bed forensic facility for the criminally insane at the Queen Street Mental Health Centre; and

"Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social service organizations in hundreds of licensed and unlicensed rooming-houses, group homes and crisis care facilities in all of Canada; and

"Whereas there are other neighbourhoods where the criminally insane could be assessed and treated; and

"Whereas no one was consulted—not the local residents and business community; not leaders of community organizations; not education and child care providers and not even the NDP member of provincial Parliament for Fort York;

"We, the undersigned residents and business owners of our community, urge the NDP government of Ontario to immediately stop all plans to accommodate the criminally insane in an expanded Queen Street Mental Health Centre until a public consultation process is completed."

I have affixed my signature to this petition.

#### COLLINGWOOD GENERAL AND MARINE HOSPITAL

**Mr Jim Wilson (Simcoe West):** I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas continued government funding cutbacks will force the Collingwood General and Marine Hospital to close eight more hospital beds and these cutbacks are having a continued negative impact on employment in the Collingwood area;

"Whereas the government is failing to adhere to their own 'principles of restructuring,' which state that restructuring of the hospital sector must be linked to equitable funding, appropriate and accessible community-based health services, and that restructuring initiatives must address the impact of these changes on hospital staff, the local economy and the health care needs of the community;

"Whereas the government refuses to give the green light to redevelop the General and Marine Hospital even though the provincial government announced funding for the project in 1987, and even though the General and Marine cannot achieve additional operating efficiencies unless the hospital is redeveloped;

"Therefore, we demand that the provincial government immediately approve the redevelopment of the General and Marine Hospital and that the hospital be given some financial breathing space to assess the impact of these bed closures on the labour and health care needs of the Collingwood community."

I support this petition and I've signed it and would note for the record that it was comprised originally of just over 6,000 names.

#### TOBACCO PACKAGING

**Mr Anthony Perruzza (Downsview):** I have a petition here that reads:

"Petition to the Legislative Assembly of Ontario in support of plain packaging of tobacco products:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public;

"Therefore, we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

It's signed by some residents of Ontario, and I submit it for your perusal, Mr Speaker.

#### FIREARMS SAFETY

**Mr Frank Miclash (Kenora):** I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to the Minister of the Solicitor General's decision on the firearms acquisition certificate course and examination;

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice and 'grandfathered' those of us who have already taken safety courses and/or hunted for years;

"Whereas we believe that we should not have to take the time or pay the cost of another course or examination, and we should not have to learn about classes of firearms that we have no desire to own;



"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

That's signed by a good number of constituents from across my riding and I too attach my name to that petition.

#### TOBACCO PACKAGING

**Mr David Johnson (Don Mills):** I have a petition which reads:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most effective method of protecting the Canadian public;

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

It's signed by some of my constituents and constituents of Metropolitan Toronto and the surrounding region.

**Mr Drummond White (Durham Centre):** I have a petition here from quite a number of women in my riding, women such as Nancy Bolton, Helen Kerry, Vicky Dalton, Bonnie Sormin, Margaret McGrady, women who are all concerned about tobacco use. Their petition reads:

"A petition to the Legislative Assembly of Ontario in support of plain packaging of tobacco products:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's progressive tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people who become hooked, addicted and eventually ill; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most effective method of protecting the Canadian public;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I agree with this petition and affix my signature thereto.

#### SALE OF AMMUNITION

**Mr James J. Bradley (St Catharines):** This petition is addressed to the Legislative Assembly of Ontario:

"Whereas it is imperative that we make our streets safe for law-abiding citizens;

"Whereas any person in Ontario can freely purchase ammunition even though they do not hold a valid permit to own a firearm;

"Whereas crimes of violence where firearms are used have risen at an alarming rate;

"Whereas we must do everything within our power to prevent illegal firearms from being used for criminal purposes;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To immediately pass Liberal Bob Chiarelli's private member's bill, Bill 151, to prohibit the sale of ammunition to any person who does not hold a valid firearms acquisition certificate or Ontario Outdoors Card."

I affix my signature as I'm in agreement with this petition.

1550

#### HAEMODIALYSIS

**Mr Jim Wilson (Simcoe West):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas several patients from the town of New Tecumseth are forced to travel great distances under treacherous road conditions to receive necessary haemodialysis treatments in Orillia or Toronto;

"Whereas the government has done nothing to discourage a patchwork dialysis treatment system whereby some patients receive haemodialysis in-home and others travel long distances for treatment;

"Whereas there are currently two dialysis machines serving only two people in New Tecumseth and one patient is forced to pay for her own nurse;

"Whereas the government continues to insist they are studying the problem, even though they have known

about it for over two years; and

"Whereas the Legislature passed Simcoe West MPP Jim Wilson's private member's resolution which called for the establishment of dialysis satellites in New Tecumseth and Collingwood,

"We demand the government establish a dialysis satellite immediately in the town of New Tecumseth."

I've signed this petition. Thousands of other individuals have signed this petition. This particular petition is signed by the residents of the New Tecumseth area, and we received hundreds and in fact we're well into the thousands of names from people in the Collingwood area demanding dialysis satellite services. It's time the government responded to this issue.

#### TOBACCO PACKAGING

**Mr Larry O'Connor (Durham-York):** I've got a petition here to the Legislative Assembly of Ontario in support of plain packaging of tobacco products.

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the free flow of goods across interprovincial boundaries makes a national packaging strategy the most effective method of protecting the Canadian public;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

It has been signed by people from Claremont, Uxbridge, Stouffville, Sunderland, Port Perry and right across the good riding of Durham-York. I sign in support of this. In fact, I went to Ottawa to talk on this very issue just Tuesday.

#### SALE OF AMMUNITION

**Ms Dianne Poole (Eglinton):** I would like to read a petition from constituents of mine into the record.

"To the Legislative Assembly of Ontario:

"Whereas it is imperative that we make our streets safe for law-abiding citizens;

"Whereas any person in Ontario can freely purchase ammunition even though they do not hold a valid permit to own a firearm;

"Whereas crimes of violence where firearms are used have risen at an alarming rate;

"Whereas we must do everything within our power to prevent illegal firearms from being used for criminal purposes;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To immediately pass Liberal Bob Chiarelli's private member's bill, Bill 151, to prohibit the sale of ammunition to any person who does not hold a valid firearms acquisition certificate or Ontario Outdoors Card."

This is signed by the residents of 45 Dunfield, residents on Saint Clements, Redpath, Edith Drive, 3 Roehampton, Glengrove, Broadway. I'm pleased to affix my signature.

#### DON MILLS CENTRE

**Mr David Johnson (Don Mills):** I have a petition with regard to the Don Mills shopping centre. It's entitled Save Our Stores.

"We, the undersigned, call upon Premier Bob Rae to implement a rollback of the 1994 reassessment and reapportionment of the Don Mills Centre to the 1992 assessment rolls.

"For 1994, the small retailer share of the tax burden has jumped to 80% from 45% at the same time that the total mall property and business taxes have increased by 24%. The net result is a 119% average tax increase for the small retailers. In many individual cases, the increases are in excess of 100%. This will cause job losses and/or business closures in the Don Mills Centre."

This petition is signed by many of the merchants, many of the residents of the Don Mills riding and residents looking down here from the riding of York East as well. I affix my signature to it.

**Mr Jim Wilson (Simcoe West):** Point of order, Mr Speaker.

**The Deputy Speaker (Mr Gilles E. Morin):** A point of order. Would you address the remarks from your chair.

**Mr Jim Wilson:** Sorry. Thank you, Mr Speaker. I did have the wrong chair there. Before my colleague the member for Dufferin-Peel speaks to this assembly about the government's budget, perhaps we should have a quorum.

**The Deputy Speaker:** Would you please check if there is a quorum.

**Acting Clerk Assistant (Ms Lisa Freedman):** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Acting Clerk Assistant:** A quorum is now present, Speaker.

#### ORDERS OF THE DAY

##### 1994 ONTARIO BUDGET

Resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government (1994).

**Mr David Tilson (Dufferin-Peel):** I'm pleased to rise to participate in the topic of this 1994 budget. I must say that many of us had been waiting anxiously for a good



sign from the province as to where philosophically it was going, particularly in this year of an election, whether it's held this fall or next spring or whenever it's going to be held. I think we were looking for good things, specifically because of the last—

*Interjection.*

**Mr Tilson:** Well, it could be next fall. I hope it's not that long. I hope we get rid of you sooner than that.

But we have witnessed a number of devastating budgets in this province that have seen the debt in this province increase to heights that we would never have believed. We have literally had the heck beaten out of us, we the taxpayers of the province, with respect to where we're going in this province.

I can remember the Treasurer standing in his place for his first budget and telling us that he felt that economically the best way to proceed in this province was to spend his way out of the recession. That obviously hasn't worked. He has completely reversed his position. He was forced into a social contract that didn't work and other matters of restraint that haven't worked.

I think it was the member for St George-St David who made a quip in one of the comments that have been made in this place, dealing with a description of this budget, that it is simply "nothing for everyone." I know he was trying to give a smart remark, but that was a sad expression as to what was being used.

I can speak specifically for my riding of Dufferin-Peel as to what the hospitals were hoping for, what the municipalities were hoping for, what the school boards were hoping for and what the taxpayers, the business people who are providing jobs, were hoping for. They didn't get what they wanted. The best they got was that the issue of the employer health tax, simply with respect to new employees, would be delayed another year.

1600

There was another suggestion that the dirt tax was going to go. Of course, you have to read the budget very carefully. It's not the removal of the dirt tax, it's the delivery charges for dirt tax. If we remember the headlines in one of the Toronto papers at the last budget, "They've Even Taxed Dirt," and that tax still exists.

The budget states, "To ensure equitable treatment, delivery charges for sand, clay, soil, gravel and unfinished stone will be exempt of retail taxes effective midnight tonight," which of course was the date of the budget, which I believe was May 5. So there was that suggestion that the dirt tax is gone, and we should be quite aware in this province that even that tax still exists.

I saw the Minister of Health present a moment ago. One of the issues in my riding is the topic of a new hospital, the new Dufferin-Caledon hospital, which we in my riding have been promised by successive ministers. The former Liberal minister, Mrs Caplan, from Oriole, the present Minister of Economic Development and Trade when she was Minister of Health and the current minister have all promised that this hospital would be built.

The difficulty of course is the fear that slow plodding away is going on and delays are being encountered by the people who are trying to construct that hospital, and

when we see cutbacks going on in this province, we worry.

I accept the undertaking by this government and the former Liberal government that a hospital will be built in our riding of Dufferin-Peel. I will only say that we didn't see much encouragement in this budget, and that fear still concerns us, notwithstanding the undertaking that we in Dufferin-Peel hold the government to.

On the whole topic of roads and transportation, you may recall that many members in this place were concerned with the cutbacks to GO Transit. The whole issue of transportation in ridings such as mine, and it applies to perhaps the majority of members in this place, is of individuals who live in the country and work in urban areas.

In my particular riding a large percentage of individuals live in places like Bolton, Orangeville, Palgrave, Mono township and other municipalities such as that and they travel to areas outside the riding for jobs in Brampton or Toronto or Mississauga. They are concerned with the cutbacks in GO, because GO did come to my riding, which I might add is within the greater Toronto area. The town of Caledon is within the greater Toronto area, yet it is not being served by GO.

The GO board was pretty well mandated by the Minister of Transportation with cutbacks and said that the ridership didn't warrant it. The fact of the matter is people need that type of transportation and it was taken away from them. So that whole issue of encouragement for people to travel on public transit from my riding to areas outside my riding for mainly business and social reasons has not improved.

There is the general feeling not only in my riding of Dufferin-Peel but in many of the other ridings throughout this province of the decline in the quality of education. The whole issue is, is there enough money? Are there enough funds? There's no question that the topic of pooling has been dealt with in the budget, and that will create much continued controversy with the separate school and public school issues.

I await comment from the public school system and the separate school system in my riding and others throughout the system to indicate what their concerns are with that. I think that doesn't even take place until 1996, that whole proposal that was put forward in the budget.

I have spoken to at least one director of education in the public school system, and of course they're simply saying that this money is being taken away from them and there's no way to reimburse them. So that's yet more money, more funding for education that's being taken away from the education system.

The whole issue of downloading continues. We spent some time yesterday on a resolution by the Premier. One of the topics that he raised in his resolution was the topic of downloading from the federal government to the provincial government. One of the concerns that exists in almost all of the school boards in my riding, whether it be the county of Dufferin or the separate school board of Dufferin-Peel, is concern with the subject of junior kindergarten and how that has literally been forced on our system.

People simply don't want it. They don't want it and they can't afford it. For some unearthly reason that example of downloading continues; the big stick of the provincial government continues. That's another topic that I think people in my riding were concerned with, that they hoped would have been dealt with in the budget.

The whole issue in the last budget, the issue of the increase in fees, whether it be for snowmobiles, or the \$50 corporation fee, or the increase of fees in the land registry office and other fees, I hoped that there had been such an outcry, particularly as to the \$50 fee—and we in the opposition, whether it be the Liberals or Conservatives, opposition members have raised petitions, we have made resolutions in this place, all of which have been defeated by the government.

Questions have been asked of the Minister of Consumer and Commercial Relations as to why she would allow the Treasurer to proceed with that type of fee, the \$50 fee. Notwithstanding all that outcry against fees, and that fee in particular, I am disappointed that the Treasurer has not, even in an effort to encourage business in this province—the whole issue of doing business is more and more expensive since 1990, since the NDP took power.

To be fair to the NDP, no question that not all of it is their fault. The topic of the recession crops up and other external economic factors surface. But the economic philosophy from day one of saying that the Treasurer is going to spend his way out of the recession, to jump from practically a nil deficit to a deficit of \$9 billion, is absolutely outrageous.

The issue of fees, albeit a small issue, although it's a big issue to many businesses in my riding, I think people were hoping that the budget would get rid of that issue.

The major issue in my riding and certainly ridings throughout the greater Toronto area is the subject of dumps, the three superdumps that are being planned by a process that nobody likes, nobody wants, nobody has approved. This government is philosophically forcing a system on us. I would have hoped that the budget could have dealt with this topic in some way, perhaps acknowledging that they have gone in the wrong direction.

I would imagine that the province of Ontario has spent by now, my guess, at the last count something like \$50 million over the three regions in the greater Toronto area in the expenditure for the Interim Waste Authority on the subject of dumps. My guess is that it's at least up to \$60 million. Yet that topic as well was not referred to in the budget.

Those are some of the personal comments I have with respect to observations that people in my constituency of Dufferin-Peel have commented to me. They simply raise their questions as to what in the heck was it about.

Flipping through, as I sat in this House and listened to the Treasurer read his budget to us—and I'm not trying to be smart—I honestly wondered whether the Treasurer was in a fantasy world, talking about how we're moving out of the recession and everything's going to be okay, we're going to have all kinds of jobs in this province. They boast on the topic of Jobs Ontario, which, with due respect, I don't think is working at all.

I think it's a dream booklet, a dream package, and it's a dream we're all going to wake up from very shortly and realize that this whole dream since 1990 has just been one awful nightmare. This province was once great economically; in fact, many people in this country often despised us because we were doing so well. Now, of course, we're at the bottom of the heap in so many things, whether it's jobs, employment or the whole issue of the economy.

I fear that this may be the booklet that will just nudge us a little to wake up and realize what an awful thing, what an awful, terrible thing the New Democratic Party has done to the economy of this province.

**Mr Jim Wilson (Simcoe West):** The Liberals didn't help much either.

**Mr Tilson:** Well, we could get into the history of the Liberal government. The member for Simcoe West is quite right in what he says. One needs to look at the economic policies of the Liberals, who during good times certainly had a wonderful time spending and raising taxes 33 times, 33 different taxes. I can remember the New Democrats during that election talking across this province about how terrible David Peterson and his gang were with respect to their economic policies of spending and taxing. Yet when they attained power, they were by far the worst of any group we've ever seen anywhere in this country.

1610

I could spend some time on the Progressive Conservatives' platform. Mr Harris is telling the people of this province where the Progressive Conservatives would take us as an alternative to this type of economic plan. I don't want to spend a great deal of time on that because that is being done around this province by Mr Harris even as we speak, but that's the whole issue of cutting provincial taxes by 30%. Members of the government and Liberals have had a lot of fun standing up this week and waving American flags and other strange antics. I understand that, because it's been embarrassing to them to see a good, concrete economic plan being put forward.

For people who want to invest in this province, we must have some sign that taxes are going to go down, not a sign that says, "No increase in taxes." That was the message of the Premier and the Treasurer: "No increase in taxes." The people of Ontario want more than that. They want a cut in taxes. They want a cut in waste. They want a cut in services that we simply don't need and can't afford in this province, and there has been no sign in the Ontario budget of 1994 that this government is prepared to do that.

Even today I had to rise in my place and make a comment with respect to a whole new bureaucracy that I don't think this province can afford, the commissioner for the Environmental Bill of Rights. I emphasize that I wish her well, but it seems that for every piece of legislation this government passes, whether it be the Environmental Bill of Rights or employment equity, everybody's got a commission. More and more bureaucracy is being required to operate these things, and they are services we simply can't afford. It's a Utopia, a dream that won't come true. In fact, it's a nightmare, a terrible nightmare.



There are many people worried about where this province is going to go in the next number of years. There's a remote chance that the New Democrats will get re-elected in the next election. I know they'll say that, but I don't think they will. Whoever gets elected, whether the Liberals or the Conservatives, they are going to have an unbelievable time undoing many of the bad economic policies that have been put forward in the Ontario budget for 1994 and other such budgets.

You can heckle all you want about where you stand on that, but we have to look at what others think, and that's been discussed for some time: the bond raters. I don't know what the latest story is, but the last clipping I have is one of this past weekend which talks about Ontario's bond rating issue. It's an article by Gayle MacDonald in the Saturday Star, but that's just one; it's been occurring several times throughout this week and there may be some more up-to-date topics with respect to the bond rating. I would like to make one comment with respect to the calculation of the so-called bond raters' deficit, on page 2 of the budget briefing notes, which we believe overstates the deficit for 1994-95.

The overstatement results from a retroactive attribution of a \$528-million deferral and rollover on the transfer payments for the 1992-93 fiscal year. As a consequence, the bond raters' deficit for 1994-95 should be reported as about \$11 billion and not the \$11.4 billion in the briefing notes. That is something we should emphasize. That statement may have been made by other speakers in this place, and that is a correction we should emphasize. In other words, the real deficit in this province is, we submit, \$11 billion. Can you imagine? How is this going to be paid back?

The Treasurer says there's no increase in taxes. Somewhere, some time, by some government, that \$11 billion is going to have to be paid back. We are all hoping, the Treasurer and all members of this place, for an increase in the economy, with reams of revenue coming in, but anyone with common sense says it's not going to be the tremendous influx of revenue that the Minister of Finance has been predicting. In fact, he's been wrong every time yet. Every time he's made a presentation in this House about what the revenue is going to be in the forthcoming fiscal period, he's been wrong, dead wrong. He's been dead wrong in the past.

**Hon Brian A. Charlton (Government House Leader):** He's more right than any other government.

**Mr Tilson:** The House leader is commenting. I hope the Finance minister is right, but I don't think he's going to be. I don't think he's going to get the revenue he says. I don't think we're going to have the tremendous turnaround he's expecting.

The only answer is to cut services, and there's been no plan put forward by the government. The Progressive Conservatives have put forward a plan, and yes, the NDP love to jump on that and say it's the slash-and-burn policies of Ralph Klein. Be that as it may, I think it's a good policy of cutting. I believe this budget should have dealt with that topic. You know, I know, the Liberals know and everyone out there in Television Land knows that what we should be doing is cutting the many services

that we don't need and can't afford.

To get back to this article by Gayle MacDonald, I'd like to refer to it, as it talks about the next issue I would like to refer to in the brief time I have. It talks about how the province's total debt is expected to soar to \$90.4 billion by March 1995 and to \$98.8 billion the following year. That's absolutely astounding. When the Conservatives left power—and it's somewhere in my notes here—in the early 1980s, it was something like \$20 billion. Am I correct?

**Mr Jim Wilson:** Just under that.

**Mr Tilson:** The member says it was under \$20 billion. The Liberals increased that unbelievably in the short period of their government to, what, \$40 billion? Now we're going to be up to \$90.4 billion this year. By 1996, it will be \$98.8 billion.

Ms MacDonald quotes an economist at Bunting Warburg Inc, whose name is George Vasic. He's the chief economist at that place and he says "Ontario's 'stand-pat' budget bothers him because of the harm it will do in the longer term." To again quote the member for St George-St David, he says this budget does nothing for everyone, and that is absolutely right. When you think of what this budget is really doing, that's exactly what it does. Mr Vasic seems to agree with that and is in fact worried about the long-term economic plan this government has. 1620

He says in this article of May 7, which was last Saturday, I admit: "Next year is an election year and that budget will be another non-event. It will be 1996 before a new government takes over and announces a new budget.

"Meanwhile"—and this is the important part—"the debt is growing at 12% and the economy at 4% in current dollars," said Vasic. "The problem is compounding without being addressed, and that's where we are really going to lose on this."

You have to look at that, at what the debt is growing at—he says 12%—and then at what the economy is growing at, 4%, he says. I think we all would agree that those are generally correct figures, give or take. In other words, the debt is so high compared to what the economy is that we're in deep trouble, unless the Treasurer is correct in this tremendous gamble he's taken that our economy is going to turn around and we're going to get vast sums of revenue. Just ask the people who are unemployed; just ask the people who are worried about whether they're going to make their next mortgage payment; just ask those who've lost any of the hundreds of jobs being lost to the United States and other provinces; just ask individuals who are concerned about the bankruptcies that have been going on.

Yes, the economy has been improving a little. I'm surprised members haven't said, "Well, the economy is improving." I can tell you, that is a tremendous difference: 12% debt growth and 4% economy growth, and that's at current dollars.

So this nightmare, I hope, will come to a close. I hope the voters of this province at election time, which I hope will be called very soon, will put them out of their misery

and we can get someone in there who—I would submit the best party for that is the Progressive Conservative Party, which has come forward with a realistic plan that needs to be seriously considered, because that's the only answer for saving this province from disaster and bankruptcy.

The budget proposes tax breaks totalling \$325 million in a full year, primarily attributed to the \$295-million employer health tax holiday for new hires. That is a joke. We have just finished—have we even given third reading to the employer health tax bill? We have fought so strongly against that issue. The Minister of Health is sitting in the House and I'm sure she's wondering where the next buck's going to come from to pay for all the increasing health costs in this province.

**Hon Ruth Grier (Minister of Health):** Not from a tax such as you would impose.

**Mr Tilson:** You're putting the burden on the employer. That's wrong, and you know it's wrong. The employer health tax is wrong, and that's why the Treasurer is giving relief to the employers who are hiring new employees. By his own admission, he knows the philosophy of dumping that health expense is not working, and it shouldn't work. That is a joke. Someone came up to me the other day and said: "Maybe I'll fire all my employees and hire them back. Maybe that will enable me to avoid paying the health tax." Good luck to that. I have no idea whether that's legal, but it's a concern.

The so-called dirt tax was another matter the government boasted about. As I indicated in my opening comments, that's rather deceptive, because the dirt tax does exist. The only tax that's been removed is the delivery charges for dirt, and that's because the government hadn't thought that one out either. It was an administrative nightmare and they couldn't figure it out. It was costing more to administer than they got in taxes.

That's the problem with many taxes this government has put forward: They haven't thought it out, haven't thought out the economic implications on jobs. They know we've got a problem with jobs, because they keep talking about Jobs Ontario. And they know the small business person is having a great deal of difficulty in operating in this province, of staying alive till 1995. All those things keep coming out.

There are no major program spending initiatives with this budget, and clearly, 14 out of 20 ministries show year over year reductions in operating budgets. The 1994-95 deficit is projected as \$8.5 billion, notwithstanding the fact that we in the Progressive Conservatives say it's actually \$11 billion. And if you take all the other funny accounting practices that have gone on that have been absolutely denied and criticized and not approved by the Provincial Auditor of this province, that deficit may even be higher. But just in the simple accounting, not taking into consideration the comments of the Provincial Auditor, that deficit is in fact \$11 billion.

However, the Finance minister is saying it's \$8.5 billion and he says it's down from \$9.4 billion, and it's as if everything's okay. It's as if: "Oh, well, we're down a billion dollars. Isn't that wonderful?" And all of this has to be paid back. Every last penny of this has got to

be paid back. Where are we going to get it? Where are we going to get the money to pay this back?

I've only got about a minute left. I come from a semi-rural area, and one of the concerns is that rural Ontario was ignored with budget cuts. There are actual budget cuts, and there's a little aside made with the Minister of Agriculture and whatever else he's called and our critic commenting about how little the Ministry of Agriculture is given to assist the rural population of this province. It's as if this party, this New Democratic Party, is saying, "Yes, we're an urban party. We will ignore the farmers and the rural people of this province," and that has come true with respect to the budget cuts with respect to rural Ontario.

I think the other indication which I have emphasized, the other fear we have, is that the debt service costs are now the fastest-growing item on the debenture side. I have spoken on that.

Finally, the big issue that everyone's concerned about is jobs. Jobs Ontario is not working, and I don't care what the government says about how they think it's working; the fact of the matter is, businesses are closing, people are moving to the United States, people are moving out of the province. Despite the recovery that's being suggested by the Finance minister, the unemployment rate will be 10.3% this year and 9.8% next year—completely unacceptable for this province—and this budget indeed is a nightmare.

**The Acting Speaker (Mrs Margaret Marland):** Questions and comments?

**Mr Chris Stockwell (Etobicoke West):** The comments made by the member for Dufferin-Peel appear to be very, very well thought out and something that I think, had this government adopted in the early stages before their \$10-billion fiasco, could have saved a lot of grief and aggravation for this government.

He speaks of rural concerns as well as representing an urban riding and a rural riding, Orangeville and the area surrounding, and he speaks to the issues that are facing the constituents in his particular riding.

I think what he has done is researched this document the government has come forward with as a budget, and he's come to the conclusion I think many Ontarians have come to, and that's the conclusion that the stimulus they've been looking for with the jump-starting or restarting of this malaise we've been in, this economic downturn, is certainly not seen. A one-year tax holiday from employer health tax doesn't seem to me to be the kind of stimulus needed to restart the private sector and create jobs, create the kind of economic health that will springboard us into the next four or five years of hopeful growth.

It seems to me the message still hasn't been put through to the government as addressed by the member for Dufferin-Peel: Taxes are simply too high. They're unbearable. They're intolerable. Government spending is literally out of control. Deficit numbers are manufactured. They have no relationship to reality. And in all this difficulty and torment the government sees itself in, it continues to insist that somehow there's some kind of



bright economic light and prosperity in the province of Ontario that no one seems to be able to put their finger on except the members of the government.

I thank the member for Dufferin-Peel. I think he's brought forward the kind of questions and concerns the people of Ontario have brought forward, and I think the members would be far better off listening to a member like the member for Dufferin-Peel and taking those concerns back to the caucus room, hopefully to the cabinet table, and dealing with them.

1630

**Mr Anthony Perruzza (Downsview):** I can understand why my Conservative friends are upset at what's in the budget, and I'll tell you why: because there are some really good things in there. There's a program that allows people who wouldn't normally be able to buy a home to buy a home. There's a tax break for business. There are some real job numbers in terms of infrastructure. There's some real substantial money committed to building the roads, the sewers, the bridges and the subways that this province and this city need in order to be able to grow. So I can understand why they're upset.

So they go home at night and they worry about some of these things, and then they produce documents like this one here in reaction to that. It talks about some revolution that Mike Harris is going to start. He talks about how he's going to eliminate the deficit.

I remember the last Conservative who essentially won power on that kind of rhetoric. His name, if you'll recall, Madam Speaker, was Brian Mulroney. Many people have forgotten, but some people still remember 1984. Brian Mulroney was elected, and he said: "Elect me, Brian, and I will eliminate Canada's deficit. I will reduce the debt, and you know what? We're not even going to increase taxes."

What do you have after that? One of the highest tax rates ever registered in this country. One of the highest deficits ever left behind by any politician. One of the highest cumulative debts anywhere. That's the last time we heard this Conservative rhetoric. So I can understand why they're really upset.

**Mr Jim Wilson:** I want to compliment my colleague the member for Dufferin-Peel, Mr David Tilson, for what I thought was a very commonsense approach in analysing the NDP government's budget document. Indeed, rather than just criticize the government—which is so easy to do when you've got such people like the member for Downsview, who knows not of what he speaks whatsoever; it is very, very easy to criticize the NDP and the NDP government—the member for Dufferin-Peel did use his time in a more constructive way to offer solutions in pointing to the Mike Harris Common Sense Revolution document, which talks about lowering taxes and faces the reality in this province and in this country that there really is no other choice.

For the past 20 years, and in particular the last decade in Ontario, what we refer to as "the lost decade of Liberalism in Ontario" that was shared by the Liberal Party of Ontario and the NDP, governments have attempted to spend themselves rich. I think that there is

overwhelming recognition now among the population, and certainly we found that in our task forces and town hall meetings and church basement meetings in the four years we spent putting together the Common Sense Revolution document. We found that people were acknowledging to us and begging us to change direction here in Ontario and to lower taxes, not to any longer try to spend ourselves rich. That doesn't work. It's an economic theory that has failed the people of this province and this country.

That's why we're calling for and the member for Dufferin-Peel is calling for a revolution. We need a drastic change in the direction of government in this province. We can no longer afford to tinker around the edges with economic policy. We must go full-blown ahead with lowering taxes. The Common Sense Revolution calls for a 30% reduction in the personal income tax in Ontario, which would then make us the lowest-taxed jurisdiction in North America with respect to personal income tax, and that is the way to create jobs in this province.

**Mr Gilles Bisson (Cochrane South):** I just wanted to comment quickly on the speech on the part of the member for Dufferin-Peel. In this House, I normally am quite happy to listen to the interjections and the comments made by the member opposite, because I really do believe that he comes to this House like every member within this assembly, in order to espouse and in order to be able to explain to people what his position is and what he sees. For that, I give him credit, because as a Conservative he does have an ideology that he's trying to convey to the people of Ontario, and that is an ideology that is markedly different, I would agree, from the ideology of this party or even of the Liberal Party. For that I give you credit and I listened quite intently to the comments that you made.

I just really want to go back, because I think what you're attempting to do within the Conservative Party of Ontario in regard to what you call your Common Sense Revolution is very revolutionary to a certain extent. I think it's quite dangerous. I think to be talking about the economy of Ontario and about changes that you're asking the people of Ontario to take vis-à-vis the economy through the budget of Ontario is very dangerous for the people of Ontario.

I watch the news, as you do, and pay attention to what's happening across Canada and to what's happening in other jurisdictions in North America and Europe.

**Mr Stockwell:** On a point of order, Madam Speaker: I think we need a quorum.

**The Acting Speaker:** Are you asking if a quorum is present?

**Mr Stockwell:** Yes.

**The Acting Speaker:** Is a quorum present?

**Acting Clerk Assistant (Ms Lisa Freedman):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Acting Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** You have 30 seconds left.

**Mr Bisson:** I just want to finish the comments and to say what he offers to the people of Ontario through the Conservative Party of the province is really a dangerous ideology when it comes to trying to find a balance between the needs of the people through social policy and the balancing off of economic reality.

I don't want to challenge the member, because I do know where he's coming from. But I would ask you, as I heard in question period today on the part of Minister Cooke, to be a little bit more specific with the people of Ontario when you start talking about some of the things that you do in this document. For example, the 20% reduction in expenditures that you're proposing within the budget of Ontario, matched by a 30% cut in taxes, means overall there's \$6 billion to \$9 billion, depending on how you look at it, that you would want to take out of the budget of Ontario right away. That would cause significant pain.

**Mr Tim Murphy (St George-St David):** On a point of order, Madam Speaker: I'm trying to seek your guidance on an issue. I believe in the comments to the member for Dufferin-Peel's speech, we had two Conservatives and two government members. Given that the member for Dufferin-Peel had quoted me a number of times, I wanted to have a chance to participate and thank him for quoting me and to say how this is a budget which has nothing in it for everyone. Given what my leader has said about it, it is certainly a budget that is more myth than hit. I wanted to have a chance to say those kinds of things and pay tribute to the speech from the member for Dufferin-Peel.

**The Acting Speaker:** The member for St George-St David does not have a point of order.

**Mr Murphy:** Oh, I thought I did, Madam Speaker.

**The Acting Speaker:** The questions and comments are dealt with in rotation. At the point of the next rotation, you were not at your seat standing and the member for Cochrane South was.

The member for Dufferin-Peel has two minutes to respond.

**Mr Tilson:** I would like to thank all of the members for participating in response to my comments on this budget, specifically the member from Etobicoke, whom I love quoting. He's even quoted in the media and isn't even given recognition for it. The comment that he made with respect to this budget is that probably the best thing about this budget is it's the last socialist budget that we're going to see in a long, long time.

I appreciate even the kind comments of the New Democratic Party, as kind as they could be, in my response, but there are two issues that are before us with respect to this budget. The first one is taxes, in which they say there are no new taxes. With respect to the revolutionary document that we've put forward, that issue is something that you must deal with. I don't care whether you're around for four months or six months or another year; you must cut taxes. If you don't cut taxes, we're going to be in deep, deep trouble. I don't care if you don't like our document, if you don't like our philosophy, but take a look at that, because I can tell you

that is the one issue that is being looked at by the people of this province.

The other issue is the subject of job creation. I can only quote Lorrie Goldstein from the Toronto Star, who says it much better than I ever could.

**Hon Mrs Grier:** Star or Sun?

**Mr Tilson:** Well, you can criticize Lorrie Goldstein, you can criticize the Toronto Star, but I'm going to read it to you anyway. He says that the main theme of this year's budget is job creation. He says—this is the Sun of May 6:

"Laughren claims 350,000 new jobs will be created in Ontario over the next three years. But the reality in his own budget projections show a drop of 17,000 jobs in the employment growth rate of this year."

So again, this whole budget issue is an absolute disaster. It's a nightmare.

1640

**The Acting Speaker:** To continue the debate, the member for Cochrane South.

**Mr Bisson:** It is with great pleasure that I have an opportunity to participate in this, the debate of the fourth budget of the province of Ontario through the NDP government. It has been an interesting four years, to say the least, I would admit to members across the way. But I would like to come back to that and to try to put in context maybe a little bit later on, at the end of my speech, how this budget came about and how it fits into the context of the agenda of this government over the last three and a half to four years now.

I want to speak first of all just very clearly about what this budget contains. What this budget contains is simply this: It is a plan to get people back to work, to restore the confidence of the people of Ontario and to give people dignity in being able to find themselves within this province of Ontario so that they can go out and participate within the province, holding their heads up high and recognizing that in this province we do have a government that cares in the end.

What the budget does is simply this: It takes a look at trying to find a way to strike a balance between the economic realities of the province and the social needs and economic needs of the province at the same time. The budget, for an example, on the question of job creation, goes after principles of being able to get people back to work in very direct ways. Some of them are in keeping with some of the directions that we decided to take back in our first budget of 1991 and carried on until today.

I would say on the question of taxes, last year, if you remember, in the budget of 1993-94, we had said that we would raise taxes in that budget and we would do that in order to be able to affect the deficit of the province of Ontario as well as some expenditure control measures that included a social contract, and that in our following budget there would not be any new tax increases for the next couple of years.

If you take a look at what's in this budget, it is in keeping with the promise that was made by the Treasurer of Ontario, the Honourable Floyd Laughren—somebody



who I have a lot of pride in saying is my friend and my colleague—keeping that promise and being in line with what he had set out to do a few years ago.

On the side of taxes it looks at, how can we start utilizing our tax system to the advantage of the people of Ontario, looking at how much revenue we have as a province in order to pay for the services the people want and at the same time keeping an eye on trying to put some tools in the hands of employers for job creation?

I think most people in this assembly, especially some of the members of the opposition, especially the Conservative opposition, would agree that you do not need to approach—I will go back. Somebody threw a package at me and it threw my thought.

On the question of taxes what we're saying is we need to put some tools in the hands of employers to be able to help create some jobs. Some of these are directly through taxes, such as taking a look at the employer health tax and saying that we will give employers who hire employees in this fiscal year basically a credit of not having to pay the employer health tax for this year. That's a fairly significant saving in some cases, depending on how much employing they were doing.

We're looking at the innovation tax credit that basically says to the employers of Ontario, "If you invest in R and D within a company in the province of Ontario, we will give you an additional 10% credit on your taxes for the upcoming year."

I think we need to recognize that one thing we haven't done well in North America, especially here in Canada, and Ontario's not immune to that, is that we haven't invested in R and D, I think, to the level that we really need to. If you look at Japan, Germany, England, France and other places, there's been a heavy investment on the part of those countries, on the part of those governments in supporting the private sector in R and D.

I think this government recognizes that and wants to be able to move a little more aggressively in that direction to make sure that we're able to encourage employers and to be able to encourage firms in the province of Ontario to keep up some of the work that we're doing and keep our competitive edge when it comes to industry and when it comes to the technologies of industry within the province of Ontario.

We're looking at utilizing taxes and taxation in, I think, a fairly progressive way, and some of this is in keeping with the work we had started doing through the Fair Tax Commission a few years ago, announced by the Treasurer. I'll come back to that a little bit later.

On the question of trying to find a way to balance off the needs of the people of the province of Ontario with the economic reality we have, you would know that last year and the year before that the government had moved quite aggressively in trying to find a way to contain the problem we were having in the province of Ontario when it came to revenue, because primarily what we had in the province, and we still have, is a revenue problem. You have an economy that has been hurt because of this recession. Since 1989, 1990, we have seen net decreases in jobs, lots of people becoming unemployed, and not

because of the policy of a Liberal or Conservative or New Democratic government but because of what happened within the economy.

I think if you're fairminded, as I'm sure, Madam Speaker, you are, we would agree that what you have is an economy that has been affected by a recession that is contained not only in the province of Ontario but world-wide. I think if you look at the economic indicators of not only Canada but the United States and throughout North America, Central America and Europe, you will see that that recession has had its toll. Ontario, like other governments, has had to try to find a way to be able to balance off the economic reality of a shrinking economy, to a certain extent, with the expenditures that we have in government and providing services to the people of this province.

We decided to do something quite different than what has been seen in other jurisdictions throughout Canada and North America. Rather than trying to approach the problem à la Mike Harris or à la Ralph Klein or à la Preston Manning, as I'd like to put it, we decided that what we needed to do is we needed to build a partnership with the people of this province.

We needed to find a way to be able to bring together to the same table those people in the public sector, those people in the private sector, people in the management classes as well as the working class, coming together and being able to find solutions that sometimes are not short term, sometimes some of those solutions are long term, and changing some of the attitudes that we have within our society, and at the same time being able to work out and effect change to be able not only to reduce our expenditures but to change the way we look at things so we can deliver services that are equal but maybe a little bit differently.

I think this government, if it has done anything, it has been able to do that. Not without controversy. I'm sure, Madam Speaker, you had people in front of your constituency office last summer when the social contract was in the midst of negotiations, during the months of June and July and August of 1993. I had them in front of my office. I can tell you, it was the largest protest I'd ever seen in my community out in front of my constituency office on Algonquin.

And why? Because we had to a certain extent challenged what people saw as the status quo when it came to bargaining. We said as a government, "We need to re-look at this, because clearly an employer, public sector or private sector, needs to be able to take a look at how you pay your bills at the end of the day." Most employers, in both the public sector and private sector, try to address that by saying, "I would just do an across-the-board reduction of some percentage, 10%, 20%, whatever it might be, and I'll lay off x amount of employees to equal a certain amount of money that I'm trying to save."

I worked at the Pamour Mine, McIntyre division, in Timmins, and I remember during the recession of the 1980s, when the employer, who was going through a difficult time, approached the problem in a very traditional way, as most other governments in this country have done, and said, "What we're going to do is we're going

to reduce  $x$  amount of employees to equal  $x$  amount of money so we can help our cash flow situation."

The problem with that is, it affects people in the end, and when people are unemployed, there's more than just the cost of people being unemployed in the sense of maybe their being on unemployment insurance. There are added costs to our society when it comes to the relationships within the family, which are very important to our society, and the relationship and responsibilities that individuals take within that society itself.

What we did is what we do best as social democrats. We said, "Yes, we have to be tough-minded possibly, but we have to get people to understand that in order to effect change sometimes you have to look at changing some of the structures by which we operate as a society." We put in place what I would agree was a very difficult concept for some of the people in the trade union movement to accept at the time, something called a social contract.

We said we would do that rather than just putting people out to pasture, just laying people off. What we would do is we would try to enter into a social contract where employees can participate in the process of management in being able to identify savings to offset money we would normally have to take out of people's jobs in direct employment.

1650

In some workplaces it has been a resounding success. I can tell you also, Madam Speaker, in some workplaces it has been rather difficult. I can point to employers in my own communities, where it has been rather difficult for people in the public sector to deal with their employers for a number of reasons.

But we had the courage to do it as a government. Why? Because we believe, as social democrats, that you just cannot rely on the status quo, that to move ahead as a society you have to change with the times. That sometimes means you have to challenge that status quo, no matter where that status quo may exist. And we did it; we saved the \$2 billion that we were looking for.

I can tell you today, and I can say this publicly to the people who I'm sure are watching from my riding, that within the public sector of Ontario there are more people today who accept the concept of the social contract than there were when it was first introduced last year, because they've had an opportunity to look at that and to balance it off against what the alternative would have been, which is unemployment, or what has happened in other provinces, such as Prince Edward Island.

For example, I watched the news just recently where some 8,000 workers were out in front of the Legislature in Prince Edward Island, in Charlottetown, chanting and jeering at the Premier of that province and the decision to roll back wages unilaterally by 7% to 8%, without any consultation, without any discussion on the part of the people within the public sector.

I've seen the same kind of practice within Nova Scotia, where the Premier of that province, another Liberal Premier, has made some fairly similar decisions about just unilateral rollbacks. In the province of Quebec I've

seen the same thing, and in Newfoundland, in Manitoba and Alberta, where all of those governments, Tories and Liberals, have approached that from a very traditional standpoint. I understand, because that's all they know: "We know how to do things in one way."

I think the strength of this government has been that we have not been afraid to take our responsibility and to make the decisions that need to be made and to try to find ways to balance off the interests of the few for the many. I think that's something, as social democrats, where we can stand proud in this House and proud in this province in saying that we've been able to achieve.

Have we been able to do it all? Of course not. There are things that I would have liked to have done in this House and this Parliament over the last three years and a half years, as I'm sure some of my colleagues have felt. I know auto insurance, for one, was mine. I was of the opinion, and I am still am of the opinion, that publicly owned auto insurance is the best way to go when it comes to providing that service for the people of the province.

But as a pragmatic government we balanced off the needs of the people of the province of Ontario against the reality and we made the tough decision. The easy political decision would have been to say, "Do it. Damn the torpedoes, just let it happen. Ideologically we're right and we're just going to do it. To heck with it if it's going to hurt people along the way," in regard to utilizing money from the public purse in order to do the auto insurance program at a time when we really didn't have the money to do it.

I can tell you I've taken criticism in my riding about it. But I say to the people of my riding, the people of Cochrane South, that as a government you sent me here, as the person that you elected, that you had confidence in making the decisions that needed to be made. I can tell you, in the last three and a half years that I've been here, I've made a number of decisions.

I'm sure not all of them have been right. I'm sure that some of my electors would probably say they disagree with some of them. But in the end I think all fairminded people would say the decisions that this government has made have been very balanced, have been very much in keeping with trying to find a way of balancing off the interests of people.

If you look at the budget of the province of Ontario today, the budget that was just tabled in this House last week, last Thursday, that's what this budget is about. It's about saying we cannot afford to move in a way that some people would suggest in the province of Ontario by unilaterally slashing expenditures, without having an eye on the social realities and the fabric of what makes Ontario, because in the end what you're doing is affecting people's lives.

I stand here proud today as a member of this the New Democratic government of Ontario, led by my Premier, Mr Bob Rae, with a lot of respect and a lot of admiration for what this caucus has been able to do, because we've been able to balance that off. Look at what we've been able to accomplish. We have managed to pass the most progressive legislative agenda that this province, and I



would say almost this continent, has ever seen.

We have now an Environmental Bill of Rights in this province, something you don't see anywhere else.

We have now the most progressive labour legislation of most provinces and, I can tell you, including the United States, done by the Minister of Labour and members of this caucus in the name of Bill 40.

We have now a wage protection plan that protects the workers of this province in the event that they become unemployed and the employer lays them off and decides not to pay them the money they're owed.

We have now changed the system of training to where training is not done in a fragmented way, but workplace training and lifetime education is done through a whole different process that brings together in the decision-making process not only the employer, as has been the tradition in the past, but the workers as well: the people who need the training in terms of those who need to access the skills, and the people who need the training in terms of employers needing to run their industry. We've done that through the Ontario training and adjustment board.

I must say, I stand proud in the House to say I've been a member of a government that's not been afraid and has been quite responsible in its approach to try to balance off those interests.

I look at my colleague the Minister of Health, who sits here in the House listening to this debate today, who is dealing with expenditures within the health care sector. I'm a member from northern Ontario. If anybody in this province understands the issues of health care, it is people in northern Ontario. For many years we've had problems with health care in northern Ontario. I look at my colleague, my honourable friend Mr Pouliot, the Minister of Transportation, and Madam Martel in regard to some of the decisions we've had to make as a government.

But overall, we have managed over the past three years to keep the expenditures on health care in check, at the same time as actually increasing the services to the people of this province and the people of northern Ontario. We've had to make some decisions about how health care is structured.

For example, there is a program called the northern travel grant. It is a program, I would remind people of the province, that was introduced in an accord government of the then Liberal government and the then opposition of the New Democrats, led by Mr Rae and Mr Peterson. The accord called for the introduction of the northern travel grant, and I give full credit to the Liberal government of the day for working with us on that. At the time, we made a policy statement that the travel grant would pay you to go anywhere within the province you wanted to access health care services, because at that time there was an acute shortage of care in many communities in the north.

But over the years, through some programs that were introduced, we've managed to attract health care professionals within our communities in northern Ontario, not to the full extent we're looking for, but a lot more

than we've had in the past. As a government, we've been able to make the decision, take the political courage, to say we need to restructure the northern travel grant system to pay people to travel to the closest referring specialist. To me, that makes not only good business sense but makes a lot of sense from a health care perspective, because you're encouraging people to use northern Ontario facilities, and the more people who use our facilities in the north, the better off they are in the long run when it comes to their viability as an operation.

I look at my community and the whole question of the Timmins and District Hospital. It started under the previous government, and I give it credit. This government was committed and worked at it and made sure it got built. We built a brand-new hospital in my community, the Timmins and District Hospital on Ross Avenue, an almost \$90-million facility. In that \$90-million facility we have a CAT scanner and modern equipment like we had never seen in my community before, to the point that Timmins is now developing as a regional centre of health care in northeastern Ontario.

We did that because we understood as a government that even in the time of a recession you have to spend on not only the physical infrastructure but the social infrastructure of the province, making sure we're able to offer the services that people need and deserve within the province of Ontario.

Was it without difficulty? Of course not. We're still dealing with controversy in my community: How much money will the Timmins and District Hospital have to operate its facility? We know now—it's not any big secret; it's public information—that there's roughly a \$1.1-million to \$1.2-million deficit at that institution, but the solution we bring as a New Democratic government is not to go to that institution and say, "You're going to slash and you're going to burn and you're going to cut," to give an edict from Queen's Park through the Ministry of Health.

We set out a process, a process that's been difficult—I say that directly to the people of the hospital—where we've brought together people from management and tried to bring together the people from the bargaining units who work within the hospital and people of the community to come to some decisions about how we run our institution.

I'll tell you, it has been difficult. I can tell you stories of people who work at that institution, of how frustrated they've felt. I've walked into that hospital and quite honestly felt that frustration without even having to talk to anybody. I know, as a politician and as a community leader, what the people of my community feel and what their wants are and what they're thinking.

1700

But in the end we will solve that problem as well. Why? Because in this province you have a government that says: "We need to bring people together. We cannot just dictate policy to the people of Ontario." We're working through the problem, and in the end that will be solved, just like most issues.

It is with enormous pleasure that I participate in this

debate today to share with people what the vision of this government is all about. The vision of that government is very simple: It is about balancing the needs of individuals in Ontario, balancing the economic needs and the reality of the economy with the social needs themselves, and in that mix coming out with a more caring and compassionate society for the people of this province. And it is not an easy process to go through.

In this last 10 minutes, I would like to touch on a couple of things with regard to some of the fallacies I have been listening to about this government from both the opposition parties and other people in the province, namely, the deficit of the province.

I remember back in the summer of 1990 running an election, as were all people in this House, obviously; we wouldn't be here otherwise. At that time the then Liberal government, led by Mr Peterson, ran on its balanced budget, and not only a balanced budget but a surplus. If that had been true, I would say full credit goes to the party that is able to do that.

But I want people to remember what the feeling was back in that election in the summer of 1990. I remember knocking at the doors and having people say to me: "Gilles, why is the government calling an election with less than three years in their mandate? Why would a majority government, which normally has four to five years in a mandate, call an election after less than three years?" I didn't know what the answer to that question was. I suspected at the time it was because there was a recession coming and the government of the day was trying to duck under the recession, to build for the five years necessary to work our way through the recession. I think they understood—the way I saw it back then—that there was a recession taking hold in Ontario, and should they have to go to the people within the time they had from the 1987 election, they'd be calling an election in the middle of a recession.

People understood that. You didn't have to tell people in Ontario anything. You'd knock at the door and people said, "Why did those Liberals call an early election?" I think we all heard that. Liberals, Conservatives and New Democratic candidates across the province heard that.

Lo and behold, on September 6, 1990, the New Democratic government is formed under the leadership of Bob Rae, and he appoints a Treasurer by the name of Floyd Laughren. I remember going into our first caucus meetings, discussing some of the issues at the time and what we wanted to do as a government and what was important to us. I remember the Treasurer coming into the caucus meeting and talking about the deficit. I said: "Hold it a second." I'll say it like my friend Mr Stockwell. "Hold it a second. There isn't a deficit. There was a budget that said there was a surplus. What do you mean, Floyd, there's a deficit? I don't believe that."

As it turned out—and this is fact, but I'm sure I'm going to get comments after my 10 minutes are up—the fact is that if the Liberals had stayed in office in 1990 and not called an election, by the time they were into their budget year they would have had roughly about an \$8.5-billion deficit. Period.

Is that because the Liberals tried to spend their way

out of a recession? No, it wasn't that. It's because we were in the middle of a recession. People had lost their jobs by the hundreds of thousands. People had become unemployed, which means they don't pay any taxes.

**Mr David Turnbull (York Mills):** On a point of order, Madam Speaker: I don't believe a quorum is present.

**The Acting Speaker:** Is there a quorum present, Madam Clerk?

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** The member for Cochrane South may continue.

**Mr Bisson:** As I was saying, if the election hadn't been called and the province of Ontario had remained under the leadership of the then Liberal government, the deficit at the end of that budget year would have been \$8.5 billion.

I want to repeat, it wasn't a question of the Liberal government under Peterson trying to spend its way through a recession. It was structurally what was happening within our economy—hundreds of thousands of people losing their jobs, good-paying jobs, jobs within the mining sector, within the auto sector, within the parts and manufacturing sector, within the plastics sector—and not because of something the government had done at that time that was so awful.

Yes, we'll argue to a certain extent that there was some responsibility on the federal government in regard to the free trade agreement, but structurally the economy was changing, because of what's happening in regard to mechanization, because of what's happening within trading patterns, within not only North America but in what now can be considered and is a world economy.

The fundamental point is that this deficit was there. It was \$8.5 billion going in.

The one mistake I think we did as a government, and this is a personal opinion, we didn't do what John Chrétien did when he was elected after the Brian Mulroney government. We didn't do what the Liberal government of Canada did, which was to say, "Let's be political about this."

The Tories had a budget that was basically way over their mark, not spot-on whatsoever. The Conservative government missed it. They were calling for a deficit of some \$30 billion plus; it was somewhere in the 40s. I can understand that the Conservative government didn't want to reveal those figures, that there was over a \$40-billion deficit and the Conservative government of Canada didn't want to deal with it. Why? Because they were going into an election.

The Liberal government under Chrétien did what Liberals do best; that is, be political. They made sure that they made the people of Canada understand that the deficit of Canada at this point of over \$40 billion fits squarely in the laps of the Conservative Party of Canada,



or what's left of it, just some two members now.

**Mr Stockwell:** How many have you got? Nine.

**Mr Bisson:** Nine is better than two.

What we did at the time is we decided to do something different when it comes to politics. What ended up happening was that we said, "What we want to do is recognize that the then Treasurer of the province of Ontario didn't do anything wrong." The Treasurer of the province of Ontario might have been a little bit more up front about what was happening within the economy and might have been able to reveal that indeed we were slipping into a recession, but he didn't maliciously go out and try to do something. What happened in the province of Ontario is what was happening everywhere else. The reason they called the election was that they wanted to make darn sure that they slipped in underneath the time and then they could deal with the problem over a five-year period.

I say to those in opposition, it's easy to sit there and to say, "Oh, yes, the NDP government stood there and tried to spend its way through the recession." If you look at the numbers and you look at the budget of the province of Ontario from 1991 until 1994, new spending in our first year was about \$1.4 billion or \$1.5 billion.

Yes, we invested additional money in capital with regard to infrastructure programs, the antirecession fund. We carried that through the Jobs Ontario Capital fund. Yes, we increased the wage protection fund, some \$400 million, to be able to protect workers in the province of Ontario. Those were conscious decisions that we made at the time, but I think we need to be somewhat fair-minded and stop pointing fingers around this place about what really took place.

I think the one thing this government maybe should have done and this party should have done is been overtly more political about the entire situation back in 1990, through the recession. Now we find ourselves some 12 to 14 months before the next provincial election. You have the opposition parties lining up, just as we would if we were in opposition, to be fair, trying to stake out their ground within the province of Ontario.

You have Mr Harris, who has now come out with what he calls the Common Sense Revolution. I would accept that he has taken a decision and he has taken a stand. I would say from my perspective and for my liking, that stand is way out on the right. That is further right than even Ralph Klein is, but I can understand. He has to be conscious of the Reform Party of Ontario, should it ever get formed. He has to make sure that he moves himself off to the right so that he doesn't get overtaken by some of the forces of the right.

I would say to the people of Ontario and I would say to the people of Cochrane South, boy oh boy, imagine life under a Mike Harris government which would do what he's talking about doing within that document. You would have them marching not only in the streets, you'd have them marching everywhere in this province, because what you'd be talking about is a total change of what you have within the services of this province. You'd be looking at massive unemployment. You would be taking

a look at massive restructuring within the economy because it would be a spin to the economy as well.

What he is doing, I understand, is being overtly political, but I would say it is a very dangerous path to try to take this province on.

Liberals do what Liberals do best. They don't know what side of the fence, sometimes, they wake up on and are trying to play both sides a little bit. I think most people recognize that.

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I would say in conclusion that the budget of this province as set out under Treasurer Floyd Laughren this year sets out quite clearly the direction that this government has taken, and that is that you need to balance off the interests of the people of the province with the economic reality that you find yourself in. You have to make sure that you provide the services that are necessary for the people and for the economy of this province.

I would close by saying that if you take a look at the predictions in regard to the predictors within the economy, we are positioned and it is being said that Ontario will be the economy that will outpace the G-7 countries over the next few years. If we're able to lead them in growth when it comes to the economy, it is clearly because there's something good going on in the province of Ontario, and that is that we have a very competent workforce, we have very good people within the manufacturing and industrial sector who understand what it is to do business within this province and we have a government within this province that does know how to manage its affairs and to give confidence to the people of this province in regard to being able to move forward into the future.

VISITOR

**The Acting Speaker (Mrs Margaret Marland):** I know that before we move to questions and comments the members would like to welcome a former member of this House. Bob McKessock, the former member for Grey, is in the members' gallery.

1994 ONTARIO BUDGET

(continued)

**Mr Gerry Phillips (Scarborough-Agincourt):** Just to respond to the speaker, he must have heard this before but I want to say it to him again: The explanation of the \$3-billion deficit comes from the Provincial Auditor. For everyone watching, he's the independent person who audits our books.

He explains how it got to a \$3-billion deficit very, very clearly. He says: "Ontario has had only one surplus in the last 20 years." That was the year ending March 31, 1990, clearly a surplus the year ending March 31, 1990. Then he says, "The next year there was also expected to be a surplus." That's the year the election was. He then goes on to explain how it turned from an expected surplus to a \$3-billion deficit. The auditor speaks here. He says, "The extent of the recession, which was obviously not foreseen at the time of the budget, meant total revenues dropped by \$1.1 billion." He says, "There was also the need for payments of about \$1 billion, mainly from social assistance." That's the second billion dollars.

Then he says there was another billion dollars that the NDP chose to spend that wasn't due but the NDP chose to spend it. They moved \$200 million of teachers' pension spending up. It wasn't due the year they spent it; it was due the next year. They moved it up. They wrote off all of SkyDome—understandable—in the first year they were in. They paid off a loan to UTDC at \$400 million.

The explanation is extremely clear. The auditor says, "It was reasonable to expect a surplus when the budget was prepared." There is the detailed explanation of it.

The second thing I would say is that the member indicates that the Liberals couldn't see the slowdown in the economy coming. In fact, we did. What did the NDP members say at the time when we were saying, "Listen, this is going to be a year of restraint"?

Here's what the NDP said, "The Ontario government has reacted to predictions of an economic slowdown by dropping its Liberal pretence." We very much anticipated it. The NDP, then in opposition, were reluctant to do anything about it.

**Mr Stockwell:** There is little, if anything, that needs to be added from the opposite side with respect to the support of this budget. Their arguments are literally all the same. The briefing notes clearly got passed around in rapid fashion. There is little, if any, stimulus that I can see to support the theory that there's going to be some kind of upturn in the economy associated with this budget.

I understand the employee tax holiday. I agree with that; good idea. I understand about the second-mortgage money the member for Downsview was speaking about. I don't think that's going to turn the economy around. Individually and collectively, I think they're minor, marginal decisions. Cumulatively, the decisions in the budget that they think is going to somehow jump-start this economy, I don't see them. I've heard about those two. Beyond that there's little, if anything, that I've seen in this budget where you could say, "This is the kind of budget that's going to cause economic turnaround in the private sector."

Having said that, and I haven't heard anything else, I still would like to make another point. I think there's a bit of a conundrum they have with respect to this budget as well. It seems to me, and I put this directly to the member and I'd like him to answer this, they call for major growth in job creation due to capital spending and they point to their capital budget and claim all these growth figures in the job market because of the capital dollars they spent.

Yet where this kind of dichotomy comes in, I suppose, is that when they then turn around and suggest about the savings they've made due to cost reductions, they also claim savings in reduction in capital expenditures. It's kind of odd. On the one hand you say, "Capital spending creates huge numbers of jobs, and we're creating jobs." You take credit for it in the capital budget, and in the same budget you say, "And we're saving lots of money because we're reducing the capital budget." I'd like him to explain that.

**The Acting Speaker:** The member's time has expired.

**Hon Mike Farnan (Minister without Portfolio in Education and Training):** I want to commend the member for Cochrane South for an excellent presentation. I'm very proud to be part of this government and to be part of a very balanced approach towards the economy of this province.

To use an analogy, when you're dealing with something like the Titanic, you can't turn this around very rapidly. You've got to make very tough decisions. We inherited a health care system, as everyone in the province knows, that was going out of control. It was increasing at 11% in cost per annum; 110% in a period of 10 years. Now, as a result of strong leadership, tough decisions, we have that down to less than 1% per annum. That's the kind of fiscal policy that this government is very proud of.

During this particular time, we have made some decisions that have allowed us to invest in job creation. We've invested in infrastructure. We've invested in small business. In fact, I spent this morning with many small business people in the York region and they were commending the government basically in coming through a very tough recession, in having very credible policies in job training, and indeed creating 45,000 jobs at a saving of \$190 million just in the Jobs Ontario Training alone.

We have stopped the terrible inflation that was taking place under the Liberals, the spiralling costs. In its place, we are now at a stage where we're actually giving tax reductions to industry through the employer health tax.

**Mr Jim Wilson:** I just want to reply very briefly to the remarks by the NDP member for Cochrane South. I would ask the member to respond to the following question: Where exactly is the stimulus in your budget plan?

As a percentage of overall budget, your capital spending is actually less than your predecessor government's, and you're not fooling people by simply packaging every program, whether it be in the Tourism or Health, Economic Development or Labour ministries, as Jobs Ontario. Your Jobs Ontario program is really just a rehash of previous programs and new letterhead that says "Jobs Ontario this" and "Jobs Ontario that."

When we look at the Training component, I come from an area like Collingwood that makes use of that program to probably a larger extent than a lot of the other parts of the province because that program was supposed to create 100,000 jobs in its first year. By the budget's own admission, it created only around 41,000. We can't actually find those jobs, and they're not long-lasting, sustainable jobs.

However, the business people in my area say: "Mr Wilson, Jim, why would we take the \$10,000 grant? You're borrowing the \$10,000 from Japan and Germany. Why would we take that money, as small business people, to hire and train a new employee when you're going to tax us down the road that \$10,000? You're going to have to increase our taxes to pay back that money to Japan and Germany that's borrowed on an \$8-billion or \$10-billion"—the actual deficit is well over \$11-billion in this budget plan. That's why business has not created the 100,000 jobs but has created only a



fraction of that. They know they're cutting their own throats by taking money that's borrowed offshore.

1720

**The Acting Speaker:** The member's time has expired. The member for Cochrane South has two minutes to respond.

**Mr Bisson:** I appreciate the comments on the part of the members who took time to comment on what I had to say about this budget.

I would just say to the Liberal critic in regard to finance, yes, we did see the recession coming. I said that clearly in my speech. The reason that you called the election is because you saw the recession coming. You tried to duck underneath it in order to be able to get by. I understand what you did. Sometimes some governments make political decisions, and I think in the end that was one that hurt you. But clearly you saw the recession coming as a Liberal government and you called an election to get underneath it. I think that's right.

In regard to the comment that you make, to say it's reasonable to expect that there would be a surplus in the budget the following year, I think when you drew up your budget—I said that clearly within my speech—yes, it would have been reasonable to expect. But clearly what happened within the economy affected your predictions and you were off the mark substantially.

That is not the first time the government has done that. You've seen it with us and you've also seen it with the Conservative government in Ottawa. You make predictions based on the numbers you're given by the people who give you that information within government and people within the private sector. What you did is you tried to make a prediction and unfortunately, for both yourselves and for the rest of us, you were wrong.

Talk to me about the question of what jobs are being created and what's happening in regard to investment. I can tell you within the riding of Cochrane South we have over \$500 million of private sector investment this year. We have Placer Dome that's doing an expansion of over \$150 million. You've got Northland Power that will hopefully within the next month or so be able to announce that it's going to be constructing a cogeneration program in Iroquois Falls. You've got Potter station at over \$100 million. You've got a new mine that was found in Matheson that is going to be spending over \$50 million. You have Kinross Gold; you have Mallette wafer board doing an expansion of \$50 million. The list goes on and on. They're doing it because they have confidence in the province of Ontario and in this government.

**The Acting Speaker:** The member's time has expired.

**Mr Stockwell:** On a point of order, Madam Speaker: I know the member ran out of time and I'm certain he would have wanted to answer the question that I put. I would ask unanimous consent for just one minute so he could—

**The Acting Speaker:** The member for Etobicoke West does not have a point of order.

**Mr Stockwell:** Not for unanimous consent so he can have a minute more to answer the question that I put? Just a minute.

**The Acting Speaker:** Is there unanimous consent? There is not unanimous consent. Continuing the debate, the member for Scarborough-Agincourt.

**Mr Phillips:** I'm pleased to join the debate on the 1994 budget and to comment on several areas of the budget that concern me. The first I'd like to talk about is the whole issue of jobs. I guess the most disappointing chart or number in the whole budget was the chart that outlined the government's plans on jobs. This is the government's own chart indicating what it expects in the way of jobs and job growth for the province of Ontario. I was quite shocked to see that the government is predicting that in 1994 Ontario is actually going to see fewer new jobs created in the province of Ontario than we saw in 1993.

All of the rhetoric and all of the talk about jobs—and incidentally, I've looked back at all four Rae budgets, every single Rae budget. What is the number one objective in every budget? Jobs. In every single budget, the first objective, the first goal, is jobs. Now we have essentially the report card that will lead up to the end of the Rae era. We've now got this budget which will take us very much to the next election. What we see here is that we actually are going to see fewer jobs created in the province of Ontario in 1994 than we did in 1993. We are not even going to see enough jobs created to take into account the number of people who enter the labour force.

The Minister of Labour is smiling. I would be ashamed to call myself the Minister of Labour. You have been the Minister of Labour when there is a record number of people unemployed in this province and you sit there smiling when we talk about this issue, with a big smile on your face, instead of getting on to ensure that we get some jobs created in this province. The minister sits with a big smile on his face, while literally a record number of people are out of work.

**Mr Larry O'Connor (Durham-York):** Mention the federal policies. That's what destroying the jobs.

**Mr Phillips:** Here we have a member saying federal policies are destroying jobs. We're a third of the way through 1994, and what's happening on the jobs front? In Ontario, in terms of job growth in the first four months of the year, a third of the way through the year, there are about 5,000 more jobs in Ontario in the first third of 1994 compared to 1993. What's the number in the rest of Canada? It's 157,000 jobs in the rest of Canada. Something's wrong in Ontario.

It was just today that I received from the government what it calls Labour Market Statistics. This is dated May 6, but I just received it today in my office. It indicates exactly what I was talking about, that we are seeing fewer jobs being created in Ontario in 1994 than we did in 1993. To me, one of the most distressing numbers is among our construction workers. In January to April 1994, we actually saw 14,000 fewer construction workers employed than we saw in January to April 1993.

**Hon Ed Philip (Minister of Municipal Affairs):** We're doing ten times more than the Liberals were doing for the province.

**Mr Phillips:** There goes the Minister of Municipal

Affairs yapping. I find it shameful that in your announcements on infrastructure, you would hide the fact that you are reporting all the federal government's infrastructure spending as your own. When I pointed that out yesterday, what happened? The Premier said we were incorrect. The Premier yesterday misrepresented the facts. He didn't have the courtesy, I might say, to acknowledge that publicly. What we're seeing right now is record numbers of people unemployed.

The Minister of Labour is leaving the House, but I would also say that the most shameful number in terms of employment is our youth unemployment. Youth unemployment in this province is reported at 30%.

#### *Interjections.*

**Mr Phillips:** The members opposite, so the people at home understand what's happening, are heckling when we're talking about what I regard as the most serious issue facing the province: unemployment, particularly youth unemployment.

**Hon Mr Philip:** What's your solution? Your leader was asked three times on the radio yesterday what her solution was, and she didn't have one.

**The Acting Speaker:** Interjections are out of order. The member for Scarborough-Agincourt has the floor.

**Mr Phillips:** The member across is yelling his head off, when we proposed a very detailed solution to youth unemployment a year ago. Frankly, the government has done nothing about it. It was a year ago, a very detailed proposal, and nothing has happened. You've done nothing, and what we see is youth unemployment at 30%. If I were the Minister of Municipal Affairs, I would be hiding my head in shame.

**Hon Mr Philip:** We have the largest youth employment in the history of this province. Why don't you look at the facts?

**Mr Phillips:** He once again is yelling, when we see record numbers of young people unemployed. I go back to the facts. You can yell all you want, but I am reporting on the government's own reports. What does it say here? "Weak growth in job opportunities has led to workers becoming discouraged. Ontario's labour force participation rate has declined. A comparison across age groups reveals that younger people are recording the biggest decline. Young workers in Ontario lost 25,000 full-time jobs and 32,000 part-time jobs over the 12-month period March 1993 to March 1994. Relative to the overall unemployment rates in Ontario, the incidence of unemployment among youth is substantially above average. In fact, among the 15- to 19-year-old group it's 30%."

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If you want to heckle and you want to yell, you can do that, but I would like the people in this Legislature to begin to realize we have a crisis here. We have a crisis in employment, particularly among our young people. The reason I raise this is because the budget essentially says everything's just fine, it's being solved. I don't believe it is being solved, and I don't believe we will solve this until we all collectively agree it is a problem that isn't being solved.

The numbers speak for themselves. When we see in

Ontario the government itself predicting fewer jobs being created in 1994 than 1993, there is only one conclusion: There are going to be more people unemployed in 1994 than in any time in the history of this province. Those are your own numbers. Those aren't my numbers. You say the labour force is going to grow more than the jobs that are going to be created. Last year we had a record number of people unemployed. It is inescapable, if you use your own numbers, that we are going to see record numbers of people unemployed. And the most tragic one, I repeat, is among our young people.

Something is happening. The fact that in the rest of Canada for the first four months of 1994 we've seen job growth of 157,000 jobs, and in Ontario it's just about 5,000 jobs, has to tell all of us that something's going wrong out there. The plan isn't working. This is the fourth straight budget where jobs have been the number one priority, and yet if you look at the Economic Outlook, you will see that each year the number of unemployed people has gone up, and, if you accept the government's numbers, at the end of 1994 we're going to see again an increase in the number of people unemployed and a record number.

My first disappointment in the budget was in the numbers the government produced itself about what's going to happen to employment in the province, and it is a major problem. I personally don't think we're going to solve this until we collectively agree on the significance of it. I've said this before, but when you're in government you have a vested interest in saying things are getting better, "Don't worry, you're being an alarmist," and when you're in opposition, sometimes people simply assume you're crying wolf and they ignore what we're saying.

But it is inescapable: We have a major employment problem in this province and it is not being fixed. In fact, for the first four months of this year the numbers are extremely disappointing. I think even the government ministers would acknowledge that in a more quiet moment.

The numbers that just came out this week indicate that our construction trades are still struggling very badly. In the first four months of 1993 over 1992 we saw a job growth of 75,000 jobs, and in the first four months of 1994 over 1993 a job growth of roughly 6,000 jobs. We have a problem. The numbers speak for themselves.

The second thing I want to talk about is what can only be described as the games that are being played with the numbers. You don't have to accept what I say in opposition; the public doesn't and the government doesn't. The Provincial Auditor has already declared himself on it and said there is a major problem with the way the books are being reported. The \$8.5-billion deficit is not real, and I'll go through the areas where the Provincial Auditor has indicated the concern.

The first is in something called loan-based financing. There's \$1.6 billion in this budget on what's called loan-based financing. Just so everybody recognizes what this is, historically in this province, with what's called our partners—our school boards, our hospitals, our municipalities, our colleges, our universities—the province used to



provide capital grants. They would say: "We're going to spend, in the case of school boards, \$400 million. We will give you a grant for your capital of \$400 million." What we've done now is change the way we're doing that, and we've said to the school boards: "You go borrow the \$400 million. We won't give it to you in the form of a grant. You go borrow the money on our behalf, but whoever you borrow it from, you tell them we will commit to repay 100% of that over 20 years."

So we've done two things. You will find as you look at the numbers in the budget that we've now moved a substantial portion of the capital to loan-based financing. In fact, it was zero in 1992-93, it was \$850 million in 1993-94 and this year it's \$1.6 billion. That is not shown as part of our deficit. That \$1.6 billion is not shown as part of our debt. But it is without question spent, and it is part of our debt, but it's hidden. It is now \$1.6 billion hidden on someone else's books, not shown as provincial debt, but the province has 100% responsibility for repaying that.

I asked the ministry officials to give me a calculation of how much hidden debt we will have in five years because of this practice. There will be \$8 billion of hidden debt on someone else's books but which the province has 100% responsibility for. We're talking about huge sums of hidden debt, \$8 billion in five years, not shown as provincial debt, but the province has 100% responsibility for repaying that. That's the first reason why there is unease in the financial community, particularly the credit rating agencies: because they see through this. They see this as a transparent move to move debt off the government's books and report an artificially low deficit.

The second big area of playing games with the books is in the pensions. For many people in the province I think there have to be alarm bells going off on the pension side, because what the government has done is it has chosen to stop making any payments for three and a half years against the huge unfunded liabilities in the teachers' pension and in the public sector pensions. There is an unfunded liability—in other words, the difference between what is there as an asset and what is owed—of roughly \$10 billion in these two pension funds. The unfunded liability continues to grow, I'm told, at the rate of about 8% a year. So this year the unfunded liability will grow by \$800 million. But we have chosen to make no payments against that unfunded liability for three years.

The justification, I will say, is that the government says, "Well, the unfunded liability was somewhat lower than we thought it was, so we're just going to take a three-and-a-half-year holiday before we make any payments against it." The auditor says this growth in the unfunded liability is every bit as much a debt and a deficit as any other expenditures. We should be reporting that the unfunded liability is going to grow by \$800 million this year. We should report we're making no payments against it.

For the viewers out there, this is the teachers' pension unfunded liability. You can see that right now it is approaching \$10 billion, and it will go to between \$13

billion and \$14 billion by the year 2014, and then it begins to decline. There's a huge amount of growing debt which we do not report as a liability. We don't report the fact that we are letting it grow by roughly \$800 million. This, I might say, is but one of the things that's happening in the pension fund. The government has also, I gather, reached some agreements where it is making decreases in its pension contribution, in addition to the unfunded liability.

I will predict, actually, this issue is going to explode in the next few months as we find out from those in the know in the pension area just what trouble we are getting into by letting the unfunded liability grow by roughly \$800 million, making no payments against it and not even reporting it as a liability by the province. Again, the Provincial Auditor, as I say, has pointed that out, and I'm beginning to receive lots of letters now from people who are impacted by this. I predict in the very near future, as I say, this will become a significant issue, and I will do my best to make certain it's fully explored.

1740

The third area the Provincial Auditor says he has real concerns about is what I call phantom sales. What we are finding is, the government is selling all its office buildings. For those of you who know the area around here, things like the Macdonald Block and the Frost Building are all being sold to a government crown agency called the Ontario Realty Corp and then leased back. It's just simply a way to artificially inflate our revenue. We took last year, I think, \$250 million in revenue that way. We're going to take another \$250 million. The auditor says: "This isn't a sale. This is wrong. This is simply a transfer of money." But we are going to artificially inflate the revenue of this province, just with that one move alone, by \$250 million, and then we take on a brand-new lease expense for ever.

I also will say in the budget we see that the government plans to what it calls refinance quite a number of assets. In last year's budget, the one that just ended a few weeks ago, Madam Speaker, you'll recall the government "sold" all the GO trains. You'll be aware of the GO train running through your riding, I would think. But the government packaged all of the \$425 million worth of GO trains and then put together a neat deal where there was a Bermuda company that was able to essentially take advantage of some tax loopholes in Bermuda where that Bermuda company bought the \$425 million worth of GO trains and paid the government the \$425 million. The government benefited from it because of these tax loopholes where in Bermuda they got less taxes because the company used the loopholes. So \$425 million worth of GO trains were sold, and then they're leased back. They weren't really sold. It's just a loan against the GO trains. But it was \$425 million of phoney revenue coming into the province.

This year, what we're going to find is, all the ferries, the government planes and I dare say bulldozers and all those sorts of things, anything that can be pulled together, the same thing's going to happen. There will be an offshore company—maybe it'll be another Bermuda company—that will "buy" our bulldozers and "buy" our

ferries, pay the government for them, and then the government will lease them back. Again the auditor is saying, "Listen, let's stop these phoney deals."

I also point out on the revenue side that we now are all buying five-year licences. I say to the government, when are you taking that in as revenue? Well, they're taking in 100% of the revenue the year it comes in. So, surprise, surprise, we're going to find on the driver's licence, 1993, 1994, 1995, all the revenue will come in, in 1996 and 1997, zero revenue, because we sold everybody a five-year licence. Again the auditor says that's wrong. Any business could never report its income that way. There's no auditor, there's no accountant, who would ever sign the books.

That's why the Provincial Auditor has said he has significant concerns about the budget. He signalled his concerns for the first time last year. For the first time in the history of the province, the auditor refused to give an unqualified opinion on the books. For those of you interested, you should read this report. The auditor also went through all the things I've talked about and said he has significant reservations about them and would urge the government to change.

Now, I applauded the government when it said that it was going to change the way it is going to keep the books. I thought, "Okay, the 1994-95 budget," the one we're dealing with, "will be presented in the way the auditor wants." Well, I found out that yes, they are going to change it, but not until September 30, 1995. I was astonished at that, because the auditor couldn't have been more clear.

In fact, the auditor, if I can find his comments here, I thought had a good comment on the way the books are reported in Ontario. He says, "Our general concern is that legislators and the public are not now being provided the financial information required to help them understand and assess the financial position and results of the operation of the government." Then he goes on to say, "Therefore, our audit and opinion in March will be based on the recommendations of the public accounts." The auditor, for the first time in history, refused to give an unqualified opinion.

We wonder why the credit rating agencies and the financial community say, "Listen, we really have stopped looking at the deficit the province reports and we've calculated our own deficit." They just simply don't trust the numbers, and I'll tell you why. One of the best things to do to get an idea of the games that are being played is to look at the difference between the reported deficit, which is the public number the government uses, and the actual amount of money that the government goes out and borrows.

What we see, because that's an indication of how much of these games are moving off the books: In 1992-93, the government reported a deficit of \$12.4 billion. What they actually went out and borrowed was \$15.5 billion. That is, \$3.1 billion more was borrowed than the reported deficit. In the year that just ended the government reported a deficit of \$9.4 billion but actually borrowed \$11.6 billion; \$2.2 billion more was borrowed than the reported deficit. This year we look at the books

and the government says there's going to be an \$8.5-billion deficit but we're going to borrow \$10.2 billion.

In three years the government has gone out and borrowed \$7 billion more than it reported in the deficit. So the public thinks the deficit looks like it's coming down, things look like they're moving at least in the right direction, although far too high, but the money markets, the people who really are able to spend the time to get in behind the numbers, are saying, "Whoa." The real number, the real deficit is the amount of money this province has to borrow.

You can begin to see that. Where is it all going? You look on page 117 of the budget and you can see, for example, that just to commissions, corporations and boards, 1992-93, the government sent \$400 million; 1993-94, \$1.3 billion; 1994-95, \$2 billion. That's just to corporations, boards and commissions, part of hiding the numbers, getting the spending off the book.

What does that mean? It means that there is growing concern about how much one can trust the books in the province. The credit rating agencies—by the way, when we talk about credit rating agencies and the impact they can have on the province, they are simply organizations that get paid money to give lenders advice on how much interest they should charge and whether they should loan money to companies and to countries and to provinces and to states.

When the Rae government came in, Ontario had what was called an AAA credit rating. Each year we have lost one grade on that. We went to what's called AA+, AA, and we're at AA- right now. There is no question that those moves are costing the taxpayers of this province, this year, at least \$150 million in just strictly higher interest costs.

We are under, as I think most people know, credit watch by a couple of credit rating agencies. I have no idea what they will do. I suspect a couple of them may downgrade the province, but all of them are watching the province's finances very carefully. I will say that if Standard and Poor's, S&P as I think most people would know them, were to downgrade the province one more step—we are at what's called AA-. If we were to move to a single A rating, that is extremely serious in the sense that probably about two thirds of the lenders to the province would no longer be permitted by their own bylaws to lend to the province, our interest rates would go up substantially and it would be an enormously negative signal to the province of Ontario. I'm hopeful that doesn't happen because that would be extremely serious.

1750

The reason they are looking so sceptically on the Ontario numbers is they no longer feel they can trust the numbers. You truly have to get into the books in detail to find out what the real finances of the province are. It makes it difficult for the opposition because, frankly, we have limited resources.

You have to be almost a forensic accountant to work your way through the budget, but there is no doubt that the deficit this year that's reported at \$8.5 billion—if you



were to take the Provincial Auditor's recommendations, it would have to be between \$2 billion and \$2.5 billion higher. We're looking at a deficit in the \$11-billion range, and that's the number the serious people in the financial community will look at.

That's why I've talked often about these accounting tricks, because they're starting to come home to roost to us. Many of them are simply delaying payments. We're now starting to pay the price.

I'm almost out of time. The last thing I wanted to talk briefly about was health care, simply to signal my own personal concern about the area. I think we make a mistake thinking that the numbers we see in terms of growth in health spending really reflect the growth in health spending in the province. The numbers we see in the budget are the growth in provincial funding for health care.

What is happening in health care is a very substantial move away from provincially funded health care to a very heavily, privately funded health care. I see that happening in a dramatic increase in—you go and ask the hospital associations how much of their funds now come from the province: 70%.

I asked the ministry officials what percentage of Ontario's health spending is from the province. It now is 76%; 34% comes from elsewhere and that 34% is growing. I think the government members make a mistake thinking you are controlling health spending, you're controlling the government funding on health.

Madam Speaker, I'm pleased to take the limited time on the budget. I look forward to having an opportunity to discuss it further at another time.

**The Acting Speaker:** Questions and comments?

**Mr Jim Wilson:** I'm pleased to just comment briefly on the remarks made concerning the budget by the member for Scarborough-Agincourt. He's a very decent human being and I enjoy his presence in the Legislature.

I would be critical, though, of his party more than him as a person in that I don't think the Liberal Party, while they've been quick to criticize the government—and they've joined us on that front. Where they haven't joined us is in offering concrete solutions to our debt and deficit problems and indeed the budgetary problems of the province of Ontario.

I thought, though, the member for Scarborough-Agincourt raised a couple of very important points. One is a question frequently asked of me by my constituents: Why are these drivers' licence fees, for example, and hunting and fishing licences, now going in three- and five-year blocks? I think the member for Scarborough-Agincourt answered that question, in that this government is looking everywhere for cash these days.

It's taking as much cash in now—for instance, my father, who is 65 years of age, Jack Wilson from Alliston, really resents the fact that he may have to renew his licence for five years. He says: "You know, I may not live for five years. Does my estate get a rebate or something and, if so, would the paperwork cost government more than the actual rebate?" He really resents that. What it means is that the government is taking a five-

year cash influx now from people like my father, and future governments won't have those licensing fees coming in every year to bring cash into the revenue pockets of the government.

Second, and very important, the member mentions health care. As Health critic for my party, we've consistently pointed out that the government's spending on health care is decreasing, and the reason the Ontario government only spends a fraction of what it did on health care in the past is because user fees are increasing in the system.

**The Acting Speaker:** Thank you. The member's time has expired.

**Mr Kimble Sutherland (Oxford):** I want to respond to the comments by the member for Scarborough-Agincourt. It was interesting that once again the member spent a lot of time talking about the accounting procedures and bringing into question this government's accounting procedures.

He started it off, as they do quite often, by saying that the only time we've had a balanced budget or a surplus was at the end of the 1990 year, and he said we would have had one going in from the 1990-91 except we included the loan to the UDTC, included writing off the SkyDome etc, and that's how it got up to \$3 billion.

Of course, he never asked the second question: Why didn't their government include those things in looking at the accounts? Gee, maybe we know why: because they wanted to make sure a balanced budget was presented going into an election year to show what wonderful financial managers they claimed to be.

The third party also talks about this, and has gone on for years. As I mentioned in my comments the other day, they used to borrow from pension funds at 2% or 3% a year, borrowing their money there. Is that being true and upfront about what the real financial state of the province is, when you're taking advantage of those pension funds and borrowing at very low rates and when the unfunded liabilities were being created?

I find it very ironic and strange that somehow now the Liberals and Tories are the great converters, that everything must be included in the way they see fit, given that when they were in government they weren't practicing that. I welcome them to their great new conversion.

This is a very good budget. It does support job creation and it does maintain services, and we have the deficit going on a downward track.

**Mr John Sola (Mississauga East):** I would like to commend the member for Scarborough-Agincourt on a speech as non-partisan as can be made under the circumstances, but also to comment on some of the other statements that were made. It seems it depends on which party a member belongs to: You place the blame at the feet of the other two parties.

This government inherited an overall deficit from the Liberal Party and an accumulated debt from the Liberal Party, which in turn inherited an accumulated debt and a deficit from the Conservative Party. I think the most important aspect is to say it is the sticking to dogma over practical applications that has contributed to the augmen-

tation of both the deficit and the accumulated debt over the four years of this government.

I want to quote from the Treasurer's report in the 1990-91 budget: "I think it is important for people to understand that we had a choice to make this year: to fight the deficit or fight the recession. We are proud to be fighting the recession."

What method did they take? According to the 1994 budget, the NDP inherited an operating surplus of \$192 million in 1990-91, and in the next year they wound up with a \$7-billion deficit. So in one year they went from a surplus to a huge deficit because of their ideology, and that is why they're behind the eight ball today.

1800

**Mr Turnbull:** As usual, I've enjoyed the debate offered by my colleague the member for Scarborough-Agincourt. I think he tried to present in a fair way what the problem is.

We can all point fingers. I'm just as good as anybody else at pointing fingers at other governments and other parties, but the fact is we should all get our heads out of the sand and be concerned about the situation we're now in.

According to the latest survey of world-wide all-government debt, Ontario now has a total government debt to GDP ratio of 84.9%, and the situation is worsening. That puts Ontario, in terms of its ratio of debt to gross domestic product, ahead of the government of Canada at 84%. We are in fact just nosed out by Burundi. We are way ahead of Mexico, Argentina and Brazil. According to this latest report, we are being categorized as a Third World country in terms of our debt. This is a very serious problem, and unless we address it urgently, the IMF is going to start addressing it.

When we look at all-Canada debt, the gross debt to GDP ratio exceeded \$1.75 trillion. That is \$61,188 per capita or, for a family of four, almost \$250,000. I don't believe the people of Canada or the people of Ontario realize the seriousness of this debt.

**Mr Phillips:** I'll try and respond to each of the members. The member for Oxford indicated that I'm advocating changing the books and that sort of thing. I point out that it's the Provincial Auditor who has been leading the charge to get the government to change the way it's reporting the books. It was the Provincial Auditor who made all those recommendations. It was the Provincial Auditor who said, "Our concern is that legislators and the public are not now being provided with the financial information required to help them understand and assess the financial position."

I'm the messenger, I guess, but it is the Provincial Auditor and his comments, and I would say that people listen to the Provincial Auditor. The credit rating agencies listen to the Provincial Auditor, and there is zero doubt that in the way the books are reported, you're understating the deficit by a couple of billion dollars.

I appreciate the comments from my colleague from Mississauga. He points out the challenges in the debt. We have gone in this province from a debt, when the Rae government came in, of roughly \$40 billion, to \$90

billion in five years. Those are such incredible numbers that I'm not sure everyone understands and appreciates them. But what it means is that every family in this province now has a debt of roughly \$30,000, up from roughly \$15,000 when Bob Rae became Premier, and that means that every year every family in this province has to spend about \$3,000 a year just on the interest payments. We're faced with a significant problem that needs better action than this budget provides.

#### BUSINESS OF THE HOUSE

**Hon Brian A. Charlton (Government House Leader):** Pursuant to standing order 55, I wish to indicate the business of the House for the coming week.

On Monday, May 16, we will conclude third reading consideration of Bill 120, the residents' rights bill, and third reading consideration of Bill 113, the liquor control act. Following that we will move into committee of the whole to consider amendments to Bill 138, the retail sales tax act, and Bill 110, the employer health tax act.

On Tuesday, May 17, we will consider an opposition day motion standing in the name of Mrs McLeod.

On Wednesday, May 18, we will begin second reading of Bill 91, respecting labour relations in the agricultural industry.

In the morning of Thursday, May 19, during private members' public business, we will consider ballot item number 57, a resolution standing in the name of Mr Cousens, and ballot item 58, second reading of Bill 157, An Act to amend the Occupational Health and Safety Act, standing in the name of Mr Winniger.

On Thursday afternoon, we will give second and third reading to any outstanding Pr bills. Following that, we will continue with our consideration of the budget motion standing in the name of Mr Laughren.

**The Acting Speaker (Mrs Margaret Marland):** Pursuant to standing order 34, the question that this House do now adjourn is deemed to have been made.

#### JOB CREATION

**The Acting Speaker (Mrs Margaret Marland):** The member for Scarborough-Agincourt has given notice of dissatisfaction with the answer to a question given yesterday by the Premier. The member has up to five minutes to debate the matter, and the Premier or parliamentary assistant may reply for up to five minutes.

**Mr Gerry Phillips (Scarborough-Agincourt):** Just to indicate what provoked what's called the late show, yesterday in the Legislature I raised a question to the Premier about how the government was reporting the federal infrastructure money.

Madam Speaker, as you know, the federal government and the provincial government are working together on an infrastructure program. The federal government has allocated \$250 million to Ontario as their infrastructure program. I asked the question regarding the way the Ontario government has reported its budget.

I said to the Premier, "You are saying that the provincial government is funding \$3.8 billion of infrastructure." I asked the question: "Does that include the \$250 million? Federal money, federal program. Does that include



the \$250 million of federal infrastructure money?"

Now, frankly, I had been briefed by ministry officials. I had asked the question in detail. I was confident that it did include it and that what the government was doing was trying to take credit for federal spending and a federal program by lumping it into its own numbers. I was certain that was the case, and I asked the Premier, "Are you doing that?"

The Premier said:

"The member is completely and totally wrong...."

"I would say to the honourable member...very directly that he is flat wrong with respect to what he's saying."

"Our own infrastructure spending is up and we are of course including our own contributions....Of course we're doing that, since that's provincial dollars. But the suggestion that somehow there's something else included in the capital dollars is false, completely false, and is quite erroneous. I hope the member will withdraw it."

So the Premier was saying not only does he think I'm wrong, he knows I'm wrong: "erroneous," "false," "completely false."

For people's information, that was asked early in what's called question period here. The Premier had literally hours to get the right answer. He never had the courtesy to come back to the Legislature and say he was wrong. Rather than that, I got a letter today, just before question period, from the Premier; not a public letter, which it should have been; not a public recognition that he was wrong; not a public recognition that he shouldn't have said, "The member is completely and totally wrong," that the member is "completely false...quite erroneous. I hope the member will withdraw it."

I got the handwritten letter just before question period from the Premier, saying: "I overdid it in our exchange yesterday. I can't be in question period today. You have my permission to say that your assertion about our including federal money is correct. I was wrong in saying you were wrong."

My point is this: He knew yesterday he was wrong. He had an opportunity to get up and correct the record, because thousands of people watched this, thousands of people were left with the impression that the Premier knew what he was talking about, that the Premier wouldn't be accusing someone else of misleading if he didn't know that he was right. He had to know yesterday he was wrong, and he sat here as late as 6 o'clock, never acknowledging that he was wrong.

So the purpose of this show is to indicate my significant concerns with the Premier, that when he was wrong, he had a chance to correct the record. He could have done it in a matter of minutes, because he knew. Because the staff knows this; the staff would have told him. But rather than do what I would regard as the honourable thing and get up and acknowledge he made a mistake, he chose never to get it back in Hansard, never to acknowledge that he was incorrect and chose to leave, in my opinion, a false and misleading impression.

So I asked for this opportunity to express my real concern about the actions of the Premier yesterday. I don't mind him saying, "I think you're wrong; I will

check," but to indicate that he knows that I'm wrong and that he indicates he is right when he completely was wrong on this matter I find unacceptable, and I find the way he's handled it frankly unacceptable and beneath him.

**The Acting Speaker:** The Premier is not present in the House. Is anyone else responding on behalf of the Premier? There is no response.

1810

#### MENTAL HEALTH SERVICES

**The Acting Speaker (Mrs Margaret Marland):** We have a further application of standing order 34. The member for Parkdale has given notice of dissatisfaction with the answer to a question given today by the Minister of Health. The member has up to five minutes to debate the matter and the minister or parliamentary assistant may reply for up to five minutes.

**Mr Tony Ruprecht (Parkdale):** The reason why I had asked the minister to return today is because I am really very dissatisfied with the answer that she has provided me when I asked my question today. The questions that I asked were very specific and I hope now she will have the opportunity to answer them in a way that is readily understandable.

First, Madam Speaker, you will remember that I asked the question if she would be prepared to change her decision and halt the construction of this forensic unit of 20 beds which would be delivered at a cost of over \$2 million. Forensic beds in this case really mean beds for the criminally insane. She had danced around that question and did not say whether she would or wouldn't be.

I would like to remind her that at the public meeting I had attended two nights ago, the question was asked, and we do have it on record, to one of her representatives, "Are you now prepared to say that this was not a good decision?" That referred of course to the construction of the \$2-million unit. The answer of that Ministry of Health representative was yes.

I'm questioning the reluctance of this minister when she is not prepared to answer my question, which was, "If the regional director of mental health program services and the regional head of forensic operations will make a recommendation to the minister that this was not a good decision, will she then halt the construction and review this decision?" That was a very straightforward question.

If that recommendation is made by her own staff, meaning the representative at that meeting could recommend it to her, and if she would of course recommend that, would she stop the construction? That was the question. I would hope the minister present here today will then address that question, if she would be prepared to stop.

The supplementary, the second question, of course, and I want to make a brief point before I ask it again, was that none of the political representatives were informed about the construction of this unit for the criminally insane at the Queen Street Mental Health Centre.

It was not only reported in the media that the member

of her own party from Fort York was not informed—he said it; he’s on record; I’ve heard him say it three times personally—but I certainly was not informed. Of course, Parkdale is right next door to the centre. The local councillor says—it’s also on record—he was not informed. The residents say they were not informed. The leaders of the community say they were not informed. That’s why Mr Marchese says in the newspaper that no one was informed.

The minister had said something interesting earlier in her remarks, namely, that there was some information and some people had been informed. We had checked with the residents. One resident attended a series of meetings and even at these meetings at the centre it was never discussed. She also said that at that meeting. We can arrange to have her meet with the minister as well.

But the question was, since certainly no one of any significance was informed, would the minister be prepared to come and speak with us, would she be prepared to come and speak with the residents at a public meeting, at her convenience, at any time she wishes? I would appreciate if she would certainly say yes. She would get our applause and we will be in a better position to discuss these issues.

**The Acting Speaker:** Thank you. The member’s time has expired. Minister.

**Hon Ruth Grier (Minister of Health):** I want to begin by taking issue with some of the facts that the member has placed before this House. First of all, in question period today he described a community meeting at which he said there had been 400 irate citizens. My staff were there; representatives of the ministry were there. There were at maximum 100 irate citizens, but they were irate, I grant you that.

Secondly, he said ministry staff at the meeting had agreed that the facility under discussion, the 20 medium-security forensic beds, ought not to be built. The member rose and asked a representative of the ministry, did they agree that the decision to proceed was an incorrect one? The ministry official answered no. The media reported that night that the ministry official had reported no. My staff were there and heard the ministry official respond no. The member tells the House that the ministry official agreed that the facility should not go ahead.

The member says that he was not informed, that there was no consultation. I have in front of me a letter dated April 1993 to the member from one of his constituents advising him of the extensive consultations on the future of Queen Street Mental Health Centre, expressing concern that though the meeting was well attended, there were very few local community ratepayer-stakeholders, advising the member of this and attaching to the letter the Queen Street Work in Progress report. That report clearly says that one of the things in progress is a medium-secure ward for patients.

I agree entirely that there was no discussion because the issue wasn’t flagged and people were not aware of it. I acknowledge that. But it was there. Nobody picked up on it. It was not explicitly pointed out. It was part of extensive discussions.

The decision to expand and to put in these 20 forensic medium-security beds was taken as a result of changes the federal government made to the Criminal Code in 1992. As a result of that, the Criminal Code Review Board is enabled to refer more people to medium-security beds throughout the province.

The unit at Queen Street is being built in response to the increasing need for medium-security beds. It was approved in 1992. These community discussions on the strategic plan, not specifically the forensic unit at Queen Street, occurred in 1993.

There are no short-term or long-term medium-secure treatment rehabilitation beds in the greater Toronto area. The fact that this unit is being built will allow the families and the patients much greater ability to support each other. It will allow patients from within the greater Toronto area no longer to have to be sent to Kingston, Brockville, St Thomas. The unit will have perimeter security, it will double-locked, it will have cameras, emergency buttons and special window glazing, in keeping with the specifications for the level of medium security.

It is not an expansion of Queen Street Mental Health Centre; it is the conversion of one floor in an existing building to medium-security. Two other floors in that building are also medium-security: One is run by the Clarke Institute and known as Metfors, that is, Metropolitan Toronto Forensic Service, where patients are referred for assessment and are held for as long as 60 days. The other is also a medium-security ward.

Until the middle 1980s there were greater security wards at Queen Street. They were then discontinued because the security was not seen to be sufficient or the treatment adequate. Now they are being replaced by this 20-bed secure unit.

The hospital’s draft strategic plan, as I indicated, mentioned that it would be built. Letters about that plan were sent to municipal and provincial politicians, service providers, local ratepayers associations, consumer groups, educational institutions, families and planners, including the two local health councils. There were 13 meetings held in April 1993 to discuss the draft strategic plan. Over 500 people attended those meetings.

The Queen Street Mental Health Centre’s community advisory board wholly supports the construction of the facility and OPSEU, the people who work in the facility, fully support it in order to have better security and better safety for their members.

I recognize that the community doesn’t like having Queen Street Mental Centre there. The community did not have a broad discussion of this, but I submit that had there been the widest possible discussion, that community regrettably would still not accept this addition to Queen Street.

**The Acting Speaker:** The time has expired. There being no further matter to debate, I deem the motion to adjourn to be carried. This House stands adjourned until 1:30 next Monday afternoon.

The House adjourned at 1822.



**LEGISLATIVE ASSEMBLY OF ONTARIO  
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Speaker/Président: Hon/L'hon David Warner

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Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms/Sergent d'armes: Thomas Stelling

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Brantford	<b>Ward, Hon/L'hon Brad</b> (ND) Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances	Hamilton Mountain	<b>Charlton, Hon/L'hon Brian A.</b> (ND) Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Bruce	Elston, Murray J. (L)	Hamilton West/-Ouest	<b>Allen, Hon/L'hon Richard</b> (ND) Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
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Cambridge	<b>Farnan, Hon/L'hon Mike</b> (ND) Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation	High Park-Swansea	<b>Ziemba, Hon/L'hon Elaine</b> (ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
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Chatham-Kent	Hope, Randy R. (ND)	Kingston and The Islands / Kingston et Les Îles	Wilson, Gary (ND)
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Cochrane South/-Sud	Bisson, Gilles (ND)	Kitchener-Wilmot	Cooper, Mike (ND)
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Durham East/-Est	Mills, Gordon (ND)	London Centre/-Centre	<b>Boyd, Hon/L'hon Marion</b> (ND) Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
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Durham-York	O'Connor, Larry (ND)	London South/-Sud	Winninger, David (ND)
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Elgin	North, Peter (Ind)	Middlesex	Mathyssen, Irene (ND)
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Essex South/-Sud	Crozier, Bruce (L)	Mississauga North/-Nord	Offer, Steven (L)
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Etobicoke-Lakeshore	<b>Grier, Hon/L'hon Ruth</b> (ND) Minister of Health / ministre de la Santé		
Etobicoke-Rexdale	<b>Philip, Hon/L'hon Ed</b> (ND) Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto		
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Northumberland	Fawcett, Joan M. (L)	Scarborough East/-Est	Frankford, Robert (ND)
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Oakwood	Rizzo, Tony (ND)	Scarborough North/-Nord	Curling, Alvin (L)
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Oshawa	<b>Pilkey, Hon/L'hon Allan</b> (ND) Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales	Simcoe Centre/-Centre	Wessenger, Paul (ND)
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Ottawa East/-Est	Grandmaître, Bernard (L)	Simcoe West/-Ouest	Wilson, Jim (PC)
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Perth	Haslam, Karen (ND)	Wellington	Arnott, Ted (PC)
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Quinte	O'Neil, Hugh (L)	Windsor-Riverside	<b>Cooke, Hon/L'hon David S.</b> (ND) Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'oeuvre
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		York-Mackenzie	Beer, Charles (L)
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Clerk/Greffier: Douglas Arnott

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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